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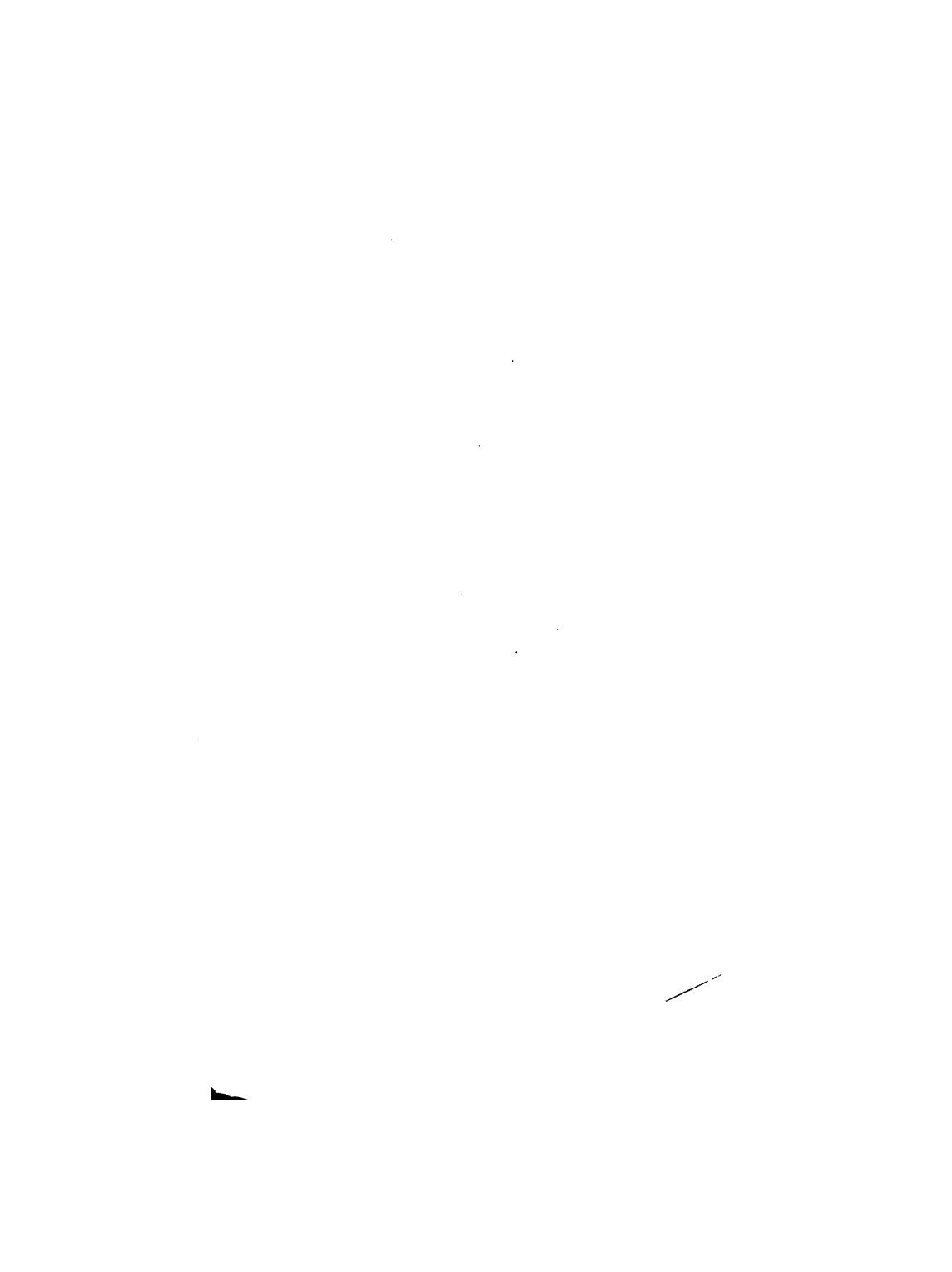
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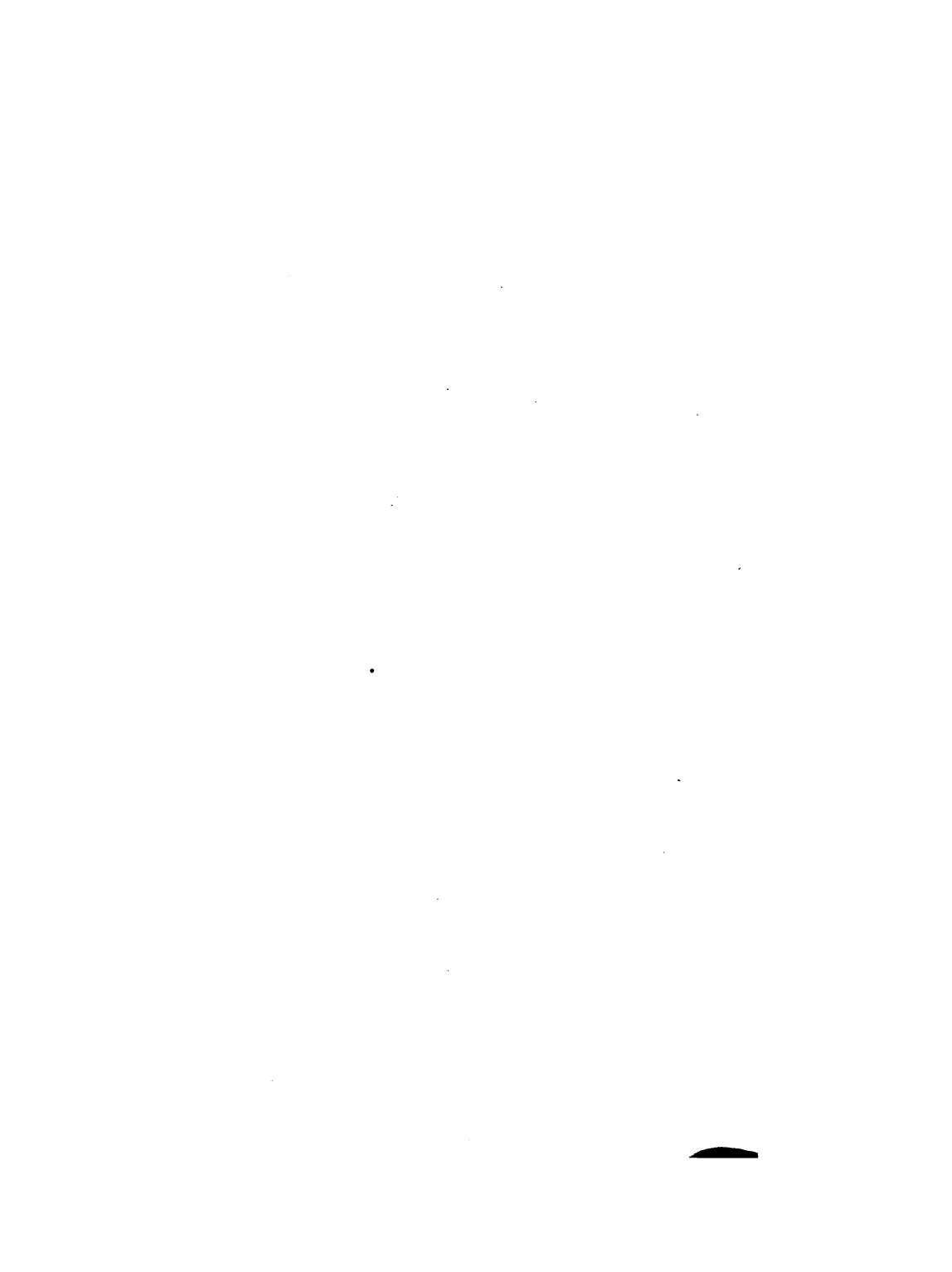
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THE ACT

TO AMEND THE LAW FOR THE

REGISTRATION OF VOTERS,

WITH A POPULAR

ANALYTICAL INTRODUCTION,

AND A FULL AND COMPLETE INDEX.

BY

CHARLES GREVILE PRIDEAUX, ESQ.

OF LINCOLN'S INN, BARRISTER-AT-LAW.

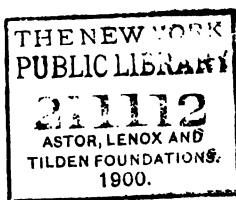
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A D V E R T I S E M E N T.

IN preparing this edition of the Registration Act for the press, the editor has attempted to secure facility of reference by the means of a copious and elaborate index, and has also endeavoured to furnish his readers with a general view of the bearing of the various provisions of the Act, by means of an analytical introduction, prepared with care, and accompanied with occasional explanatory observations.

2, ELM COURT, TEMPLE,

20th June, 1843.



INTRODUCTION AND ANALYSIS.

PART I.

THE title of this Act sufficiently points out, in general terms, the principal objects for which it was passed. It is called "An Act to amend the law for the registration of persons entitled to vote, and to define certain rights of voting, and to regulate certain proceedings in the election of members to serve in parliament for England and Wales."

It appears, therefore, the object of the Act is threefold:—

1st.—To amend the law of registration.

2nd.—To define certain rights of voting.

3rd.—To regulate certain proceedings in elections.

It is proposed in the following pages, briefly to examine and explain the various provisions of the Act, as respectively applicable to the objects abovementioned.

1. As to the amendment of the law of registration.

The amendment of the law of registration is undoubtedly the leading object of the Act, and for the purpose of effecting it, it has been deemed desirable to repeal all the sections of the reform act (2 & 3 W. 4, c. 45) relating to the formation of registers of voters, including those which regulate the appointment, duties, and remuneration of revising barristers, and to form a complete series of fresh enactments in their stead.

These enactments constitute the greater part of the present Act, and naturally correspond, in many respects, with the repealed law. In more, however, they will be found to alter,

modify, explain, mend, or enlarge that law, and many of the provisions are entirely new, and of a very important and valuable character.

A short analysis of the duties of the various officers concerned in effecting the registration, and of the proper course to be adopted by claimants, objectors to votes, and persons whose votes are objected to, accompanied by such explanatory observations from time to time as may be deemed necessary and consistent with the very limited nature of the work, will, perhaps, be the best method of furnishing a practical insight into the character of these provisions. It will at any rate possess this one recommendation—that it will enable every such person to see, at a glance, the general bearing of those sections which have a more direct relation to himself, and which he is more immediately interested in knowing and understanding.

With this view the following analysis is presented to the reader.

I. An analysis of the duties of the various persons concerned and interested in the formation of the register of voters for counties.

II. An analysis of the law, so far as it relates to appeals, it being considered desirable to keep this part of the subject separate, for the following reasons ;—because appeals constitute in themselves a distinct and prominent feature of the Act, though essentially a part of the machinery of registration ; and because the provisions respecting them, being for the most part the same, whether they be had in respect of the county or the borough registration, the necessity of much repetition of statement, or at least of frequent reference from one place to another, will by this means be avoided.

III. An analysis of the duties of the various persons concerned and interested in the formation of the register of voters for cities and boroughs.

I.—*An Analysis of the duties of the various persons concerned and interested in the formation of the register of voters for counties.*

These duties will be considered in the following order :—

- A. The duties of the sheriff.
- B. The duties of the clerk of the peace.
- C. The duties of the overseers of the poor.
- D. The course to be pursued by claimants, persons objecting, and persons objected to.
- E. The duties of the revising barristers.

A.—The Duties of the Sheriff.

The SHERIFF is the returning officer of the county, and, in his character of returning officer, the register of voters is to be delivered to him by the clerk of the peace, on or before the last day of November (s. 47). He is to keep this register in safe custody, (*ibid.*), and to make such necessary alterations in it from time to time as the decisions of the court of Common Pleas upon appeals, duly certified to him, shall render necessary, s. 67.

B.—The Duties of the Clerk of the Peace.

The first step to be taken with a view to making the register of voters, is to be taken by the clerk of the peace, who is directed to cause a number of forms of precepts, notices, lists, and tables of payment, to be printed, and is on or before the 10th day of June, in every year, to deliver to the overseers of every parish and township, his precept, and a sufficient number of the said forms of notices and lists, and of the copies of such part of the register of voters then in force, as shall relate to such parish or township respectively, and also of the said table, s. 3.

Forms of these various documents are given in the schedule (A.) annexed to the Act, and some passing observations will be made upon some of them, in speaking of the duties of the overseers of the poor.

The next duty of the clerk of the peace is to receive from the overseers of the poor the said copy of the register for their parish, and the list of claimants made out by the overseers, with the marginal objections of the overseers added thereto respectively, (such copy of the register and list of claimants with the marginal additions, being deemed the list of voters of such parish, s. 4), and also the list of persons objected to, s. 9.

These documents must be delivered to him on or before the 29th day of August in every year. *Ibid.*

He is to receive from the revising barristers notice of their appointment, and is, as soon as possible, to transmit to them an abstract of the number of persons objected to by the overseers and other persons, that they may be enabled to form a better judgment of the proper times and places for holding their revision courts, s. 31.

He is also, upon receiving notice from the revising barristers of the times and places of holding their courts, which must be ten days at least before the holding of the first court, forthwith to give public notice thereof by advertisement, in one or more of the newspapers circulating within his county, and to deliver copies of such notices to the overseers of every parish and township, and to require them to publish such copies, and to attend the revision court, s. 32.

He is, at the opening of the first court, to deliver to the revising barristers, the lists of voters for the current year, with the marginal additions, and the lists of persons objected to, s. 34.

When the lists have been revised by the barristers, they are to be transmitted by them to the clerk of the peace, who is to keep such original lists among the records of the ses-

sions, and forthwith cause the said lists to be printed into a book or books, alphabetically arranged and numbered, according to the polling districts, parishes, and surnames, and signed by him, s. 47.

This book, which constitutes the register for the ensuing year, and is to be in force between the last day of November in the year in which such register shall have been made, and the first day of December in the succeeding year, (s. 49), is on or before the last day of November in the current year, to be delivered by the clerk of the peace to the sheriff of the county, (s. 47), and copies of such register are to be kept by the clerk of the peace for sale, s. 49.

He is to receive the fines imposed upon overseers for offences connected with the formation of the register, (s. 52), and to pay over the same, and all moneys received by him for the sale of any copies for the register of voters, to the treasurer of the county, in aid of the county rate, s. 53.

The expenses incurred in the discharge of these duties are to be laid before the justices in quarter sessions, and upon their order for payment on the treasurer of the county, to be defrayed by him out of the public stock of the county, s. 54.

C.—The Duties of the Overseers.

Many important duties connected with the registration are imposed by this Act upon the overseers of the poor, but their duties are rendered comparatively simple and easy, in consequence of the assistance afforded them by the full and complete instructions for their guidance, contained in the precept of the clerk of the peace. This precept, which the clerk of the peace is, on or before the 10th day of June in every year, to deliver to the overseers, together with a copy of the register of voters for the parish, and copies of notices

and claims, and of a table of rates of payment (s. 3) will be found at length in schedule (A.) No. 1, and contains such full and particular instructions of the steps to be taken by the overseers, that it is thought quite unnecessary to repeat them here. A few observations, however, upon the terms and contents of the precept itself, may not be considered misplaced.

On reference to the precept, it will be found to contain eight paragraphs of instructions.

The 1st paragraph is a direction to publish the notice to claimants, and form of notice of claim, according to form No. 2, in the Schedule (A.) and in obedience to the 6th section of this Act.

The 2nd paragraph directs the manner and time of publication, according to ss. 23, 24.

It will be observed that the publication is to be made at every church and public chapel in their parish, *including places of worship which do not belong to the established church.* These latter words have been introduced for the purpose of securing a full and complete publication to all parties, and in consequence of the word "chapels" alone having in many cases been held to mean chapels in connection with the church of England only.

These two paragraphs are sufficiently clear and explicit, and need no further comment or explanation.

The 3rd paragraph relates to the formation of the list of claimants, to the objections to be made by the overseers against names on the copy of the registers of voters and on the list of claimants, and to the publication of the copies of the register and the list of claimants, as directed by the 5th section of the Act; the language of the paragraph is somewhat ambiguous, and calculated at first sight to lead to the impression that the list of claimants only, and not the copy of the register, is intended to be published, but it is clear,

upon comparing the paragraph in question with the 5th section of the Act, and with the 8th paragraph of the precept, which expressly speaks of the publication of a register, that the copy of the register as well as the lists of claimants is intended to be published, or rather, the copies of such copy of the register and list of claimants respectively, the original copy of the register and list of claimants being directed to be transmitted to the clerk of the peace, s. 9.

In preparing the list of claimants the functions of the overseers are strictly ministerial. They are bound to insert the names of all persons who have duly served their notices of claim, without payment of any fee (the registration shilling required by the reform Act having been abolished, and no payment established in its stead, s. 58), and have no authority to insert those of any persons who have not done so.

In making the marginal objections they must, of course, exercise their judgment upon the facts which may come to their knowledge ; they must be careful not to raise frivolous and unfounded objections, but if they have reasonable ground to believe that the objection is tenable, it will be their duty to make it.

The 4th paragraph directs the overseers to keep a copy of the said list of claimants, and of the said copy of the register for perusal and sale, as directed by s. 5, and does not call for any particular observations.

The 5th paragraph relates to the making, publishing, and sale of the list and copies of the list of persons objected to by third parties, according to the provisions of ss. 7, 8.

The functions of the overseers in preparing this list also are ministerial only, and they will be bound to insert all objections, provided they have been duly served with notice of objection, and the person objecting is on the register of voters then in force, but not otherwise, as the right to object

is by the present Act confined to persons upon such register, s. 7.

The 6th paragraph relates to the republication of notices, &c., destroyed, mutilated, effaced, or removed, before the expiration of the period of publication, as directed by the latter part of s. 24.

The 7th paragraph directs the delivery to the clerk of the peace of the original list of claimants, the original copy of the register, and a copy of the list of the persons objected to, signed by the overseers, according to the provisions of s. 9. The words "signed by you" at the end of the paragraph must be read as if they were "respectively signed by you," for it appears, upon reference to s. 9, that all these documents are to be signed by the overseers.

The 8th paragraph directs them to attend the court of the revising barrister, and to deliver to him the original notices of claim, and the original notices of objection—*see* s. 34, and informs them that due notice will be given of the time and place of holding his court.

This notice will accordingly be given them by the clerk of the peace forthwith, upon his receiving it from the revising barrister, which must be ten days at the least before the holding of the first court, and must be forthwith published by them in the same manner as other notices so far as length of time will permit, s. 33.

The overseers, upon their attendance before the revising barrister, are not only to produce the original notices of claim, and the original notices of objections, as mentioned in the precept of the clerk of the peace, but may also, if required, be examined upon oath, and called upon to produce all documents, papers and writings in their possession and power, touching any matter in question.

The concluding paragraph of the precept warns them of the penalties to which they will be liable, if they fail in the

discharge of the duties imposed upon them.—See ss. 50, 51, 52, 97.

It only remains to be observed that it is provided by the 101st section, that all acts directed to be done by the overseers by this Act, may be lawfully done by the major part of such overseers, and that any notice directed by this Act to be given to overseers, may be delivered to any one overseer, or left at his place of abode, or at his office, or other place of transacting parochial business, or be sent by the post free of postage, addressed “ to the overseers of the parish or township of ——, in the county, city, or borough of ——,” without adding any place of abode of such overseers.

*D.—Of the Course to be pursued by Claimants to Votes—
Persons objecting, and Persons objected to.*

Persons, whose names are upon the copy of the register of voters, and who have not changed their qualifications or places of abode since the formation of such register, need not make any fresh claim, but every other person claiming to be entitled to be on the register about to be made, including those on the copy of the register then in force, who have changed their qualifications or places of abode, must fill up the form of notice of claim given in Schedule A, No. 2, taking care to comply with all the requisites of the form, by giving his christian and surname at full length, and by stating correctly his place of abode, and the nature of his qualification, and some one or more of the various matters comprised in the 4th column of the form, in addition to the name of the occupying tenant, which should in all cases be given, (s. 5, Schedule A, No. 3), and should also, in the event of his own place of abode, as described in the claim, not being in the parish in respect of which the claim is made, be accompanied by a statement of the place of abode of such occu-

pying tenant, for, in such case, notice of objection to the claim must be given not only to the claimant, but also to such occupying tenant. He must then sign this notice of claim, and deliver the same to the overseers, on or before the twentieth day of July, (s. 5), who will, without payment of any fee, (s. 58), insert in the list of claimants the christian and surname of such claimant, and all other particulars as stated in such claim, s. 5.

If the qualification, as stated upon the notice of claim, and transferred into the list of claimants, be insufficient in law to entitle such person to vote, the revising barrister will, as a matter of course, expunge his name from the list, and if any of the required particulars be wholly omitted or insufficiently described, he will in like manner, expunge the name, unless the matter or matters so omitted or insufficiently described, be supplied to his satisfaction before he shall have completed the revision of such list, s. 40.

Subject, however, to these contingencies, which may always be provided against, if the party really has a good vote, by ordinary care and attention in preparing the notice of claim, his right when once inserted in the list of claimants to be placed upon the register will be absolutely established, unless he shall be duly objected to; for the list of claimants and copy of the register together, constitute the list of voters for the parish, (s. 6), and every person whose name is upon such list of voters, is, subject to its being expunged for such apparent defect upon the face of the list as above mentioned, entitled to have his name retained upon such list, and, as a necessary consequence, inserted in the register of voters, unless his right to have his name upon such register is objected to, either by the marginal note of the overseers, (s. 5), or else by some *registered* voter, who, besides such overseers, is entitled to object, on or before 25th day of August, duly serving a notice of objection upon the overseers,

and another upon the party objected to; and also, if his place of abode, as described in the list, is not in the parish to which such list may relate, and the name of the occupying tenant and his place of abode shall appear in such list, leaving a duplicate notice at the abode of such occupying tenant, s. 7.

If these objections are duly made, the party objected to must then appear at the revision court for the purpose of supporting his vote, and the party objecting (other than the overseers whose attendance for that purpose will not be necessary,) must in like manner appear for the purpose of supporting the objection, as will be pointed out in treating of the revising barristers.

If the overseers should omit to put a claimant upon the list of claimants, he must then appear in the revision court and prove his qualification, and any person upon the list of voters, may in that case, oppose his claim, upon notice in writing, given to the revising barrister in court, s. 39.

E.—On the Duties of the Revising Barrister.

It has been already stated, that all the clauses and provisions of the reform bill for the appointment and payment of revising barristers have been repealed. The present Act contains, however, a series of clauses from the 28th to the 49th inclusive, providing for their appointment and remuneration, and regulating their various duties. By this Act the number of revising barristers is limited, but their functions in many respects increased, especially as to the power of awarding cost for vexatious and frivolous claims and objections, of imposing fines for wilful disobedience and neglect of duty, and of granting cases for the decision of the court of Common Pleas upon appeal.

We proceed now briefly to consider the appointment and duties of the revising barristers for counties.

The revising barristers for the county of Middlesex are to be appointed in the month of July or August, by the lord chief justice of the court of Queen's Bench, and the revising barristers for the other counties of England and Wales are to be appointed during the summer circuit by the senior judge of assize for the county, s. 28. Under the reform act there was no limitation as to the number to be appointed, but it is now provided that only a given number shall be appointed for each circuit respectively, (*ibid*), excepting in certain cases provided for by the 29th section.

The first duty of the revising barrister is to notify his appointment to the clerk of the peace, who will, as soon as possible, transmit to him an abstract of the number of persons objected to on the list of voters, for the purpose of enabling him to determine when and where, it will be desirable for him, under the circumstances, to hold his revision courts, s. 31.

The revising barrister has from the 15th day of September to the last day of October inclusive, for holding his courts, which must be open courts, held at every polling place in the county, and at such other places as he may think expedient, and he must, ten days at least before the holding of the first court, give notice of the times and places at which such courts will be held, and of the parishes, the lists of which will be revised in such courts respectively, s. 32.

If he shall have been appointed jointly with any other barrister to revise the lists of the county, they may hold separate courts at the same time and place, or at different times and places as may be deemed most expedient, s. 30.

At the opening of the first court he will be attended by the clerk of the peace, who will deliver to him the lists of voters, (consisting of the copies of the registers, and of the lists of claimants, with the respective marginal objections), and also the lists of persons objected to for each parish, and by the

overseers of the poor, who will deliver to him the original notices of claim and objection, s. 34.

He will then proceed to revise the lists, (in discharge of which important duty he will not be allowed the assistance of counsel, s. 41), and for the purpose of being enabled to do this effectually, he may examine upon oath the clerk of the peace and overseers, and require them to produce all necessary documents, papers, and writings.—*Ibid.* And may also examine upon oath all other persons, whose evidence he may deem necessary to the matters in question, s. 41.

His general powers and duties in conducting the revision may be classified as follows :—

1. He may, upon receiving notice in writing from a voter, whose place of abode, as stated in the list, is out of the county, of a claim to be registered to vote in a different district from that in which his qualification is situated, and upon having such claim verified before him, direct that he shall poll at the polling place of such different district, by inserting against his name, the name of such substituted polling place ; and he may in like manner authorise a voter, whose place of abode, as stated in the list, is within the county, but in a different district from that in which his qualification is situate, to poll in the district in which he resides, s. 36 ; but in these cases the voter is authorised to poll at the substituted district only.

This power of changing the polling place of a voter, is given to the revising barrister for the first time by the present Act, and is certainly well calculated to promote the convenience of voters, whose places of abode are at a distance from the property in respect of which they are entitled to vote.

2. He may, upon proof of the due service of notice of claim on the overseers, and upon proof that the claimant was duly qualified to vote on the last day of July then past, insert on the list the name of any claimant whose name shall

have been omitted by the overseers; and any person on the list of voters may, upon giving notice in writing to the revising barrister in court before the hearing of the case, be admitted to oppose such claim, ss. 37, 39.

This right to oppose the claim of a person who has been omitted from the list, differs in two respects from the right of opposition to the persons upon the list. It may be exercised by any person on the *list* of voters, upon notice given in *court only*, whilst no person is permitted to oppose a person upon the list of voters, unless he shall be upon the *register* in force for the time being, and shall have previously given due notice of opposition to the overseers and to the party objected to, and in some cases also, to the occupying tenant of the property. It may be further remarked that the power of opposing upon notice given in court only is conferred for the first time by the present Act.

3. He may correct mistakes upon the lists, s. 40.
4. He is to expunge the name of every person whose qualification, as stated in the list, shall be insufficient in law to entitle such person to vote, s. 40. This power also, which is very properly introduced, as it is inconsistent with every principle of law that a party should retain a right in respect of a claim, which is essentially and substantially bad upon the face of it, is conferred by this Act for the first time.
5. He is to expunge the names of all persons proved to be dead, s. 40.
6. He is to expunge the name of every person, wherever the christian name, or the place of abode, or the nature of the qualification, or the local or other description of the property and the name of the occupying tenant, shall be wholly omitted, or where the same shall be insufficiently described for the purpose of being identified, unless the matters so omitted or insufficiently described be supplied to his satisfaction, s. 40. A similar provision was contained in the reform

Act, with respect to total omissions, but the revising barristers had not by that Act any authority to expunge names for insufficient description. See 2 & 3 Wm. 4, c. 45, s. 42.

7. He is to require all persons objected to by the overseers to *prove* their qualification, whether the overseers appear in support of their objections or not, s. 40.

8. He is to require all persons objected to by third persons to prove their qualifications, provided the persons objecting appear by themselves or their agents in support of their objections, and prove that they duly served the notices of objection required by the Act, but not otherwise, s. 40.

In these cases of objection, if the parties objected to fail to prove that they were respectively entitled to vote on the last day of July in respect of the qualifications mentioned in the lists, or if it be proved that they are incapacitated by any law or statute from voting in the election of members to serve in parliament, he will expunge their names from the lists, s. 40.

In all these cases, the parties must stand or fall by the qualifications described in the list of voters or claims respectively, for no evidence can be given of any other qualification, nor can any other be inserted in the list, s. 40.

It is believed that all the instances in which the revising barrister is authorised to alter the list have now been enumerated, with the single exception of the case of a county voter, who shall have changed his place of abode since the last registration, without having sent in a fresh notice of claim. If his vote is objected to in consequence, the revising barrister may, nevertheless, retain his name on the list, and supply the true place of abode, upon proof that he possessed on the last day of July the same qualification for which he was registered, s. 40.

9. He is to pronounce his decisions in open court, s. 40.

10. He may, when the unsuccessful party is dissatisfied

with his decision in point of *law*, and gives notice of an intention to appeal, grant a case for the opinion of the court of Common Pleas. Sect. 42. This part of his duty will be further considered under the head "Appeal."

11. He is authorised, whenever a person shall have made or attempted to sustain any groundless or frivolous and vexatious claim or objection, to award, by order in writing under his hand, any sum not exceeding twenty shillings, to be paid by way of costs, and to direct by and to whom, and when, and where, the same shall be paid, s. 46. This is altogether a new power, and one of great value and utility; for it is well calculated to put a check to those innumerable frivolous objections, which have hitherto occupied so much of the time of the revising barristers, to the great injury of the public, who then paid them by the day, and of those persons who were compelled in consequence, either to submit to be struck off the lists, or to be in attendance on the courts by themselves, or their agents and their witnesses, and not unfrequently necessarily by themselves, for the purpose of establishing in evidence those qualification, which there was not in reality a shadow of ground for disputing, an annoyance for which there was no redress—no means of punishing the offender. Much ingenuity was required to remedy this evil, for men of *straw* are always to be found willing to render themselves liable for costs, and although the persons entitled to object are limited in counties to the persons on the *register*, and in cities and boroughs to the persons on the *list of voters*, there would, in all probability be no difficulty in finding a sufficient number of these men of straw, for the purposes required, especially among borough constituencies, if no plan had been devised for nullifying the effect of a multiplicity of objections against different persons by the same individual, but the present provision is well conceived and skilfully carried out, and will, it is believed,

be found to a great extent efficient for producing the desired results. The plan is simply this; when an order for costs has been made against any party for having made a frivolous objection, the revising barrister is not to hear or admit proof of any other objection, or notice of objection made or signed by him, until he has paid the money awarded to the person entitled to receive it, or deposited it in the hands of the revising barrister for the use of such person, s. 46.

12. He may fine assessors or collectors of taxes, overseers or other persons having the custody of any poor rate book for any past years, assistant overseers and relieving officers, in any sum not exceeding 5*l.*, or less than 20*s.*, for wilful refusal or neglect to attend his court, s. 50.

13. He may also fine overseers who shall wilfully refuse or neglect to discharge any duty imposed upon them by this Act, in the like amount, s. 51.

This power of imposing fines is likewise new, and was not possessed by revising barristers under 2 W. 4, c. 45.

These costs and fines are recoverable by distress, s. 71, and the latter are to be paid by the person receiving them to the clerk of the peace, s. 52, and by him paid over to the treasurer of the county, in aid of the county rate, s. 53.

14. He is to audit, and allow, by certificate, the overseers' expenses, to be paid out of the first monies collected for the relief of the poor, s. 57.

15. He is, in open court, to write his initials against every alteration made by him in the lists revised, and to sign his name to every page, s. 41, and when the revision for the county is completed, he is forthwith to transmit the lists so signed by him to the clerk of the peace, s. 47.

16. And lastly, he has full power within the period limited for revision, to adjourn his court from time to time, and from place to place, as he may deem expedient, s. 41.

II.—*Of the Appeal.*

One of the distinguishing characteristics of the present Act, is the provision of a court of appeal from the decision of the revising barrister, whose judgments shall be binding, not only upon revising barristers, but also upon election committees of the house of commons. The necessity for some tribunal of high character and great legal attainment, to regulate and control the decisions of the revising barristers and of election committees, and to give a certainty and uniformity to those decisions, has long been seriously felt. This desirable object has now been attained, without the creation of any new tribunal, by investing the court of Common Pleas with the necessary appellate jurisdiction.

The court of Common Pleas is admirably suited for this purpose, for whilst the dignity and stability of the superior courts at Westminster, and the high attainments and character of their judges naturally point to these courts as the most fitting tribunals for deciding on matters of such delicacy and importance, the continued pressure of business in the court of Queen's Bench and the Exchequer, compared to which the business of the court of Common Pleas is but light, as naturally point to the latter court as the particular tribunal to be selected.

The sections which regulate the conduct of the appeals are from the 42nd to the 45th inclusive, and from the 60th to the 69th inclusive, the former set of sections relating to the proceedings before the revising barristers; the latter to those before the court in London.

They provide that any person aggrieved by any decision of the revising barrister, on any point of law, may, before the rising of the court on the day of the decision, by himself or his agent, give notice in writing to the revising barrister that he is desirous of appealing against his decision; this notice

must briefly state the decision against which he is desirous to appeal. No form is given by the Act, but there will be no difficulty in preparing it in each particular case, and all that is necessary will be to state in general terms, and as briefly as possible, the ground upon which the barrister decided. The granting of the appeal is entirely in the discretion of the barrister, and if he think proper to grant it, he will prepare in writing, and sign a statement of the facts, which, in his judgment were proved in evidence, and are material to the matter in question, but he can only grant such case where his decision in matters of law is questioned. He cannot grant it upon matters of evidence or upon matters of facts. It must then be signed by the appellant, and endorsed by the barrister with the names of the parties, who will deliver it to the appellant to be transmitted by him to the court of Common Pleas, and will also, if required, deliver a copy to the respondent, s. 42.

SECT. 43,

Directs that the party in whose favour the decision is made shall be the respondent, but if he decline in writing, the barrister may name as respondent any person interested who consents, or the overseers of any parish, or the town clerk of any city or borough. It will be observed, that the right to name the overseers or town clerk respondent is unconditional, and does not depend upon the consent of these parties ; but this will not impose any hardship upon the persons compulsorily named as respondents, the only object being to complete the appeal, and the respondent not be liable to costs unless he appear to support the decision of the revising barrister in the court of Common Pleas, s. 70.

SECT. 44,

Gives a power to consolidate appeals, and directs who shall be appellants and respondents, and the following section pro-

vides for the contribution of costs in such consolidated appeals by rule of court, for the due prosecution of such appeals, where the parties originally named respondents or appellants omit to carry them on, and for the right of a party to prosecute his appeal separately, if he refuse to be bound by such consolidated appeal.

The general proceedings in the court at Westminster are regulated, as above stated, by ss. 60—69 inclusive. As these sections consecutively follow each other, and are for the most part very short, it is not thought necessary to enumerate the proceedings here; it will be sufficient to observe that Queen's counsel and barristers are permitted to be heard upon the arguments, s. 61: the case may be remitted to the revising barrister to be more fully stated, s. 65: the decision of the court is to be binding on election committees of the house of commons, s. 76: and costs may be awarded to either party at the discretion of the court, except that no costs can be awarded for or against a respondent who does not appear in support of the decision of the revising barrister, s. 70.

This power in the court to award costs to either party is very favourable towards appellants, and is at variance with the practice of the court of Queen's Bench upon the hearing of special cases from the sessions, to which this proceeding is by s. 42 to be assimilated, for in these cases the appellant is never entitled to his costs, nor indeed is an appellant ordinarily allowed them in any case of appeal.

III.—*An Analysis of the duties of the various persons concerned and interested in the formation of the register of voters for cities and boroughs.*

Having already endeavoured to direct the attention of the reader to the general character of the county registration, we will proceed in the next place, briefly to consider the

duties, &c., of the various persons concerned in the formation of the borough register, and that especially with a view of pointing out the leading features which distinguish the borough from the county registration.

Of the Returning Officer.

The returning officer, like the sheriff, is to receive from the town clerk the register of voters for safe custody, s. 48, and to make the necessary alterations in the register in consequence of the decision of the court of Common Pleas, s. 58.

Of the Town Clerk.

The town clerk has duties to perform similar in their character to those of the clerk of the peace; with reference to the delivery of his precepts and notices, &c. to the overseers, s. 10,—to his receiving from the overseers the lists of voters, claimants, and persons objected to, s. 19, the difference being, that the original copy of the register and the original list of claimants are directed to be delivered by the overseers to the clerk of the peace, whilst *copies* only of the above documents are to be delivered to the town clerk,—to his remitting abstracts of the numbers of objections to the revising barrister, s. 31,—to his publishing the notice of the holding of the revision courts, s. 33,—his attendance upon the revising barristers, s. 35,—and to his receiving the lists of voters from the revising barristers, s. 48, and making up and delivering to the returning officer the register of voters, s. 48, and the keeping copies of the register of voters for sale, s. 49. But in many boroughs additional duties devolve upon him, for the whole management of the interest of the freemen is intrusted to him, and with this the overseers have nothing to do.

He is required on or before the 31st day of July, to make out and sign a list of freemen entitled to vote, s. 14, to publish such list, s. 14, by affixing it on the outside of the outer door of the town hall, s. 23, for a period including two consecutive Sundays at the least, s. 24, and to keep lists of such freemen for inspection and sale, s. 14.

He is also to receive notices of claims and notices of objections with respect to freemen, and to prepare and publish and keep for inspection and sale, lists of the claimants and persons objected to respectively.—See ss. 9, 13, 17, 18.

On the Duties of the Overseers, &c.

The duties of overseers of boroughs are regulated by a precept delivered to them from the town clerk, for their guidance. None of the ambiguities, which have been pointed out in the precept of the clerk of the peace, will be found to exist in the precept now under consideration.

Their duties are, for the most part, similar to those of the overseers of county parishes. They differ, however, in the following respects, to which it is alone intended to direct attention.

1. They are to give public notice for all persons, occupiers of premises of the yearly value of 10*l.*, to pay on or before the 20th day of July, all rates and taxes due up to April then next past, s. 11, and are to have power of inspecting rates, and to receive from the assessors lists of persons who have not paid their rates, to keep for inspection, s. 12.

2. They do not receive from the town clerk any copy of the register for the time being, nor any form of notice to claimants to make their claim, for the borough list of voters is not made up like the county list, of the register of voters and the lists of claimants, but of original lists of persons entitled to vote, made up by the overseers and town clerk

respectively, those made up by the town clerk as already mentioned being the list of freemen, and those made up by the overseers consisting of an alphabetical list of persons entitled to vote in respect of the occupation of premises of the value of 10*l.*, and in some boroughs a further alphabetical list of all other persons except freemen, who may be entitled to vote for any other right whatever. One important distinction arises in consequence of this difference; for whilst the act of the county overseer in making up the list of voters is *ministerial* only, the act of the borough overseers is a judicial act, calling for considerable discretion, in determining who are and who are not qualified voters, though perhaps this distinction is rather nominal than real, as in the case of the county list that discretion must be exercised in making the marginal objections, which in the case of boroughs is brought into action during the formation of the list.

3. The overseers of boroughs instead of delivering to the town clerk the original lists of voters, and the original list of claimants, only deliver *copies* to him, and deliver the originals to the revising barrister, s. 35.

4. They are to permit all persons on the lists of voters and all claimants, who shall have claimed to have their names inserted on any such lists, to inspect the poor rates and to make extracts without payment of any fee, s. 16. It may not be amiss to remark here, that there is apparently an error in the margin of the 16th sect. of the Act, as printed by the Queen's printer. The marginal note is, that "*registered electors* and claimants may inspect rate books," whereas the language of the section, especially when explained by the context, clearly shows that the note ought to be "persons on the list of voters and claimants," and not "*registered electors* and claimants."

In order to entitle a person to object to another on the list of voters for a county, the person objecting (other than an overseer), must be on the *register* of voters, s. 5, but in

boroughs any person on the list of voters may object to the vote or claim of another, s. 17.

The general duties of the revising barristers are in all respects similar to those of the revising barristers for the county, and his power of granting an appeal, and the method of conducting it, are essentially the same.

PART II.

As to the second object of the Act, viz., to define certain rights of voting.

The portion of the Act devoted to this object is very trifling, and in its most essential features *declaratory* only of the law as it previously existed.

As to County Qualifications.

Statute 3 Geo. 3, c. 24, "An Act to prevent fraudulent and occasional votes in the elections of knights of the shires, and of members for cities and towns which are counties in themselves, so far as relates to the right of voting by virtue of an annuity or rentcharge," is repealed, s. 72, so that all doubts which previously existed as to the effect of sects. 26 & 75 of the reform Act upon this Act are now removed, and voters upon annuity or rentcharge are placed entirely upon the same footing with voters upon any other qualification.

SECT. 73.

By this section it is provided that occupiers of lands and tenements at a *bona fide* yearly rent of not less than 50*l.*, may vote in respect of *different* lands and tenements of that value held in immediate succession during the 12 months

immediately preceding the last day of July, and that where any such lands and tenements are jointly rented and occupied by more persons than one, each of such joint occupiers shall be entitled to vote, provided they are liable for a *bond fide* rent of not less than 50*l.* for every such occupier, but not otherwise.

SECT. 74.

By this section the doubts which have hitherto existed as to the rights of trustees and mortgagees to be put upon the register of voters are cleared up and put at rest. It is thereby provided that no mortgagee shall be entitled to vote unless he be in the actual possession or receipt of the rents and profits of the mortgaged estate, but that the right of voting shall remain with the mortgagor, and that no trustee shall in any case have a right to vote, but that the *cestui que trust* may vote although he may receive the rents and profits of the estate through the hands of the trustee.

This clears up the doubts which have previously existed upon the construction of 2 Wm. 4, c. 45, s. 23, and have hitherto led to very conflicting decisions as to the right of trustees in possession to vote at county elections, though the better opinion, and that in accordance with the decisions of the majority of the revising barristers certainly was, that the express language of the 26th section of the reform Act, which provided that no man should be registered in respect of any estate unless he had been in the actual possession, or in the receipt of the rents and profits thereof, *for his own use* for 6 months, overrode the implication which might otherwise be held to arise out of the previous clause, and disqualified the party from voting.

As to Borough Qualifications.

The following provisions are made with reference to the qualification for cities and boroughs. Misnomer, or inaccurate or

insufficient description of the person liable in the poor rate is not to disqualify, provided he has actually paid the rates required by law to be paid to entitle him to be registered, s. 75.

The seven miles from the city or borough within which it is required for the voter to reside, in order to entitle him to be registered, are to be measured in a straight line from the point within any city or borough, or place sharing in the election therewith, from which such distance is to be measured according to the provisions of the reform Act, s. 76.

—See 2 Wm. 4, c. 45, s. 34.

It is declared that it shall not be necessary for freeholders of New Shoreham, Cricklade, Aylesbury, and East Retford, to be assessed to the land tax in order to entitle them to vote, s. 77.

The doubts which have hitherto existed under 2 Wm. 4, c. 45, s. 32, as to whether voters in respect of ancient reserved rights, who have not been on the register for two successive years in respect of such rights, retain their qualifications in respect of such ancient reserved rights by reason of their having been registered for both or either of such years in respect of some other qualification, are removed by an express enactment that, they shall not in such case retain their qualification, unless the names have been omitted through receipt of parochial relief, or through absence on naval or military service, s. 78.

In addition to these enactments there is one very important provision affecting the qualification of a voter, applying equally to county and to borough voters, *namely*, that the register shall be conclusive evidence of the voter's retaining the same qualification for which he was registered, s. 79, so that now a change of qualification in fact, or even a total loss of qualification after the registration will not affect the party's right to vote. This is a very important provision, especially with reference to borough elections, for the constant change of residence among the householders annually dis-

qualified a large number of electors, led to a great deal of perjury and falsehood at the elections, and caused annoyance and expense before election committees, and it is apprehended that the direct effect of this provision, will be considerably to lessen the number of election petitions, on the ground of scrutiny.

In another respect however the privileges of the borough elector, is considerably curtailed, and that under circumstances which must necessarily lead to frequent investigation before the house of commons, for the returning officer being limited to the inquiry as to the identity of the voter, and whether he has before voted, has no power of taking the objection alluded to, or of rejecting the vote at the time of the election.

Originally, residence within the seven miles of the borough was only necessary to entitle a voter to be registered, and no residence was subsequently required to give him a right of voting ; but now it is provided that he shall not be entitled to vote unless he has continued to reside and still continues to reside within the seven miles of the borough, up to and at the time of the election. *Ibid.*

It is provided by the same section, s. 79, that a person, whose name is *retained* upon the county register, but who shall have ceased upon the last day of July to have the qualification for which he was registered, shall not be entitled to vote, but as in the above instance ^{no} the objection can be taken to such vote at the poll.

PART III.

As to the third object of the Act " to regulate certain proceedings at elections" :—

SECT. 80,

Repeals the three questions directed by the reform Act to be put to the voter at the time of the election, and the 81st section re-enacts the two first, omitting the question as to the identity of qualification, then follow a series of stringent clauses for the more effectual preventing of personation of voters, ss. 83—91, respectively, an enactment as to the polling of liverymen of London, s. 92, provisions for providing for the safe custody of the poll books, and for their production in evidence, s. 93—96 inclusive, a clause rendering a party guilty of wilful contravention of the Act liable to a penalty of 100*l.*, s. 97, a clause defining the power of election committees to decide as to the right of voting, s. 98, a declaration that the sheriff shall be the returning officer of a borough where the situation of returning officer may be vacant, s. 99, provisions for sending notices by the post, and for rendering stamped duplicates of such notices evidence of the time of their delivery, s. 100, and the usual interpretation clause, s. 101, and provision that the Act may be amended this session, s. 102.

REGISTRATION ACT.

6 VICTORIA, CAP. XVIII.

AN ACT to amend the Law for the Registration of Persons entitled to Vote, and to define certain Rights of Voting, and to regulate certain Proceedings in the Election of Members to serve in Parliament for *England* and *Wales*.

[31st May, 1843.]

WHEREAS an Act was passed in the second year of the reign of his late Majesty, intituled, *An Act to 2 & 3 W. 4, c. 45. amend the Representation of the People in England and Wales*: And whereas it is expedient to explain and amend some parts of the said Act, and to make further and other provisions relating to the registration of persons entitled to vote in the election of members to serve in parliament for *England* and *Wales*: And whereas it is recited in the said Act, that "it was expedient to form a register of all persons entitled to vote in the election of a knight or knights of the shire to serve in any future parliament;" and divers clauses and provisions were in and by the said Act enacted for the purpose of forming a register of all persons entitled to vote in the election of a knight or knights of the shire to serve in any future parliament for any county, or for the riding, parts or division of any county, and also for the purpose of forming a register of persons entitled to vote in the election of a member or members to serve in any fu-

Registration Act.

Certain provi-
sions of recited
Act repealed.

ture parliament for any city or borough, and for the defraying of the expenses to be incurred thereby, and for the appointment and payment of revising barristers: Be it therefore enacted, by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said clauses and provisions of the said Act, so enacted for the purpose of forming a register of all persons entitled to vote in the election of a knight or knights of the shire to serve in parliament for any county, or for the riding, parts or division of any county, and for the purpose of forming a register of all persons entitled to vote in the election of a member or members to serve in parliament for any city or borough in *England* and *Wales*, and for the defraying of the expenses to be incurred thereby, and for the appointment and payment of revising barristers, shall be and the same are hereby repealed, except as to any register heretofore made.

Commencement
of Act.

II. And be it enacted, That this Act shall come into force on the first day of *June* next, and shall thenceforth be taken to be part of the said Act as fully as if it were incorporated therewith.

Clerk of the
peace to have
forms of pre-
cepts, &c.,
printed.

Clerk of the

III. And whereas, for the purpose of forming a register of all persons entitled to vote in the election of a knight or knights of the shire to serve in parliament, it is expedient that lists should annually be made out in manner hereinafter mentioned; Be it therefore enacted, That the clerk of the peace for every county shall cause a sufficient number of forms of precepts, notices and lists to be printed, according to the respective forms numbered (1, 2, 3, 6) in the schedule (A.) and of the table numbered (1) in the schedule (D) to this Act annexed, and sh^l also, on

or before the tenth day of *June* in every year, make peace to issue his precepts, with forms of notices, &c., to overseers. and cause to be delivered to the overseers of the poor of every parish and township within his county, his precept, according to the form numbered (1) in the said schedule (A.), together with a sufficient number of the said printed forms of notices and lists, and of the copies of such part of the register of voters then in force for such county as shall relate to such parish or township respectively, and of the said table, for the purposes hereinafter mentioned.

IV. And be it enacted, That the overseers of the poor of every parish and township shall, on or before the twentieth day of *June* in every year, publish a notice, according to the form numbered (2) in the said schedule (A.), having first signed the same, requiring all persons entitled to vote in the election of a knight or knights of the shire to serve in parliament in respect of any property situate wholly or in part within such parish or township who shall not be upon the register of voters then in force, and also all persons so entitled as aforesaid, who being upon such register shall not retain the same qualification or continue in the same place of abode as described in such register, and who are desirous to have their names inserted in the register about to be made, to give or send to the said overseers, on or before the twentieth day of *July* then next ensuing, a notice in writing by them signed, of their claim to vote as aforesaid; and every such person, and any person who being upon such register may be desirous to make a new claim, shall, on or before the said twentieth day of *July*, deliver or send to the said overseers a notice signed by him, of his claim, according to the form of notice set forth in that behalf in the said form number (2), or to the like effect.

• V. And be it enacted, That the overseers of the Overseers to
B 2

prepare lists of
claimants.

poor of every parish and township respectively shall on or before the last day of *July* in every year, make out, according to the form numbered (3) in the said schedule (A.), an alphabetical list of all persons who on or before the twentieth day of *July* then next preceding shall have claimed as aforesaid ; and in every such list the christian name and surname of every claimant, with the place of his abode, the nature of his qualification, and the local or other description of the property, and the name of the occupying tenant thereof, shall be written as the same are stated in the claim ; and the said overseers, if they shall have reasonable cause to believe that any person whose name shall appear in such list of claimants, or in the copy of the register relating to their parish or township, and received by them from the clerk of the peace, is not entitled to have his name upon the register then next to be made, shall add the word "objected" before the name of every such person on the margin of such list of claimants or the said copy of register ; and the said overseers shall also add the word "dead" before the name of any person in the said copy of the register, whom they shall have reasonable cause to believe to be dead ; and the overseers shall cause a sufficient number of copies of such list of claimants, and of the said copy of the register, with all such marginal additions as aforesaid, to be written or printed, and shall, on or before the first day of *August*, sign and publish the same ;

to add the word
"dead" against
any name ;

Overseers
empowered to
object to any
name ;

to publish
copies of list of
claimants, and of
the part of the
register of
voters relating
to their own
parish ;

to keep copies of
same for inspec-
tion and sale.

and the said overseers shall likewise keep a copy of such list of claimants, and of the said copy of the register, with the marginal additions respectively as aforesaid, signed by them, to be perused by any person, without payment of any fee, at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day except *Sunday*, during the first fourteen days after the same shall have been published, and shall deliver written .

or printed copies thereof, signed by them, to all persons applying for the same, on payment of a price for each copy, after the rate contained in the table numbered (1) in the schedule (D.) to this Act annexed.

VI. And be it enacted, That the list of claimants (if any) so to be made out by the overseers of every parish or township, together with the said copy of the register, with the marginal additions respectively as aforesaid, for the time being relating to the same parish or township, shall be deemed to be the list of voters of such parish or township for the county within which such parish or township may be situate, for the purposes hereinafter mentioned.

VII. And be it enacted, That in every year every person who shall be upon the register for the time being for any county may object to any other person upon any list of voters for such county, as not having been entitled, on the last day of *July* then next preceding, to have his name inserted in any list of voters for such county; and every person so objecting (save and except overseers objecting in the manner hereinbefore mentioned), shall, on or before the twenty-fifth day of *August* in such year, give or cause to be given to the overseers of the poor of the parish or township to which the list of voters containing the name of the person so objected to may relate, a notice, according to the form numbered (4) in the said schedule (A.), or to the like effect; and the person so objecting shall also, on or before the said twenty-fifth day of *August*, give or cause to be given to the person so objected to, or leave or cause to be left at his place of abode, as described in such list, a notice, according to the form numbered (5) in the said schedule (A.), or to the like effect; and every such notice of objection shall be signed by the party so

Any person on the register may object to any other person named in the list as not entitled to be upon it.

Notice of objection to be given to the overseers.

and also to the party objected to.

objecting as aforesaid; and wherever the place of abode of the person objected to, as described in the said list, shall not be in the parish or township to which such list may relate, and the name of the occupying tenant of the whole or any part of the qualifying property, together with his place of abode, shall appear in such list, the person so objecting shall also, on or before the same day, give to or leave or cause to be given or left at the place of abode of any such occupying tenant a duplicate notice, signed as aforesaid.

**List of persons
objected to to
be published.**

VIII. And be it enacted, That the said overseers shall in every year include the names of all persons against whom notice of objection shall have been given to them as aforesaid in that year in a list, according to the form numbered (6) in the said schedule (A.), and shall publish such list on or before the first day of *September* in such year; and shall also keep a copy of such list, to be perused by any person, without payment of any fee, at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day except *Sunday*, during the first fourteen days of the said month of *September*, and shall deliver a copy of such list to any person requiring the same on payment of a price for each copy after the rate contained in the table numbered (1) in the schedule (D.) to this Act annexed.

**Lists, &c. to be
delivered to the
clerk of the
peace.**

IX. And it enacted, That on or before the twenty-ninth day of *August* in every year, the overseers of every parish or township shall deliver to the clerk of the peace of the county wherein the said parish or township is situate, the said copy of the register, and the said list of claimants, with the marginal additions respectively as aforesaid, and also a copy of the list of persons objected to, respectively

signed as aforesaid, and relating to their parish or township.

X. And for the purpose of preparing like lists, and forming a register of all persons entitled to vote in the election of a member or members to serve in parliament for any city or borough; be it enacted, that the town clerk of every such city or borough shall cause a sufficient number of forms of precepts, notices and lists to be printed, according to the forms numbered (1, 2, 3, 4, 8, 12) in the schedule (B.) and of the table numbered (1) in the schedule (D.) to this Act annexed; and shall, on or before the tenth day of *June* in every year make and cause to be delivered to the overseers of the poor of every parish or township situate wholly or in part within such city or borough, or within any place sharing in the election for such city or borough, his precept, according to the form numbered (1) in the said schedule (B.), and also a sufficient number of the said printed forms of notices and lists, and of the said table.

Town clerk to have forms of precepts, &c. printed.

To issue his precept to the overseers.

XI. And be it enacted, that the overseers of every such parish or township shall, on or before the twentieth day of *June* in every year, publish a notice in writing, according to form numbered (2) in the said schedule (B.), stating that no person will be entitled to have his name inserted in any list of voters for the city or borough then next to be made in respect of the occupation of premises of the clear yearly value of not less than ten pounds, situate wholly or in part within such parish or township, unless he shall pay, on or before the twentieth day of *July* then next ensuing, all the poor's rates and assessed taxes which shall have become payable from him in respect of such premises during the twelve calendar months next before the sixth day of *April* then last past.

Overseers to give public notice as to the payment of rates and taxes by occupiers of premises of the yearly value of 10*l.*

Registration Act.

Overseers to have power of inspecting tax assessments, &c.

XII. And be it enacted, That the overseers of every parish or township, for their assistance in making out the list of voters as hereinafter mentioned (upon request made by them or any of them at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day except *Sunday* during the month of *July* in every year, to any assessor or collector of taxes, or to any other officer having the custody of any tax assessment or duplicate for such parish or township), shall have free liberty to inspect any such tax assessment or duplicate, and to extract such particulars as may appear to such overseer or overseers to be necessary; and every such assessor or collector of taxes shall, within two days after the twentieth day of *July* in every year, make out and deliver to the said overseers a list containing the name and place of abode of every person who shall not have paid, on or before the said twentieth day of *July*, the assessed taxes which shall have become payable from him in respect of any premises within the said parish or township during the twelve calendar months next before the sixth day of *April* then last past; and the overseers shall keep the said list, to be perused by any person without payment of any fee, at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day except *Sunday*, during the first fourteen days after the list of voters shall have been published, as hereinafter mentioned.

Overseers to prepare and publish lists of persons (other than freemen) entitled to vote;

XIII. And be it enacted, That the overseers of every such parish or township shall, on or before the last day of *July* in every year, make out or cause to be made out, according to the form numbered (3) in the schedule (B.) to this Act annexed, an alphabetical list of all persons who may be entitled to vote in the election of a member or members to serve in

parliament for such city or borough, in respect of the occupation of premises of the clear yearly value of not less than ten pounds, situate wholly or in part within such parish or township, and another alphabetical list, according to the form numbered (4) in the said schedule (B.) of all other persons (except freemen) who may be entitled to vote in the election of such city or borough by virtue of any other right whatsoever; and in each of the said lists the christian name and surname of every such person shall be written at full length, together with the place of his abode and the nature of his qualification; and where any person shall be entitled to vote in respect of any property, then the name of the street, lane, and the number of the house.(if any) or other description of the place where such property may be situate, shall be specified in the list; and the said overseers shall sign such lists, and shall forthwith cause a sufficient number of copies of each of the said lists to be written or printed; and shall publish copies of the said lists on or before the first day of *August* in such year; and shall likewise keep a copy of each of the said lists, Copies of lists to be kept for inspection and sale. to be perused by any person, without payment of any fee, at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day except *Sunday*, during the first fourteen days after such lists shall have been so published, and shall deliver copies thereof to all persons applying for the same, on payment of a price for each copy after the rate contained in the table numbered (1) in the schedule (D.) to this Act annexed.

XIV. And be it enacted, That the town clerk of every city or borough shall, on or before the last day of *July* in the present and in each succeeding year, make out, according to the form numbered (5) in the said schedule (B.), an alphabetical list of all the

freemen of such city or borough who may be entitled to vote in the election of a member or members to serve in any future parliament for such city or borough, together with the respective places of their abode; and shall sign such list, and cause copies thereof to be written or printed, and shall publish the said list on or before the first day of *August* in such year, and shall likewise keep a copy thereof, to be perused by any person without payment of any fee, at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day except *Sunday*, during the first fourteen days after such lists shall have been published, and shall deliver copies thereof to all persons applying for the same, on payment of a price for each copy after the rate contained in the table numbered (1) in the schedule (D.) to this Act annexed.

Persons omitted
from the
borough lists to
give notice of
their claims.

XV. And be it enacted, That every person whose name shall have been omitted in any such list of voters for any city or borough, so to be made out as aforesaid, and who shall claim as having been entitled on the last day of *July* then next preceding to have his name inserted therein, and every person desirous of being registered for a different qualification than that for which his name appears in the said list, shall, on or before the twenty-fifth day of *August* in that year, give or cause to be given a notice, according to the form numbered (6) in the said schedule (B.), or to the like effect, to the overseers of that parish or township in the list whereof he shall claim to have his name inserted; or if he shall claim as a freeman of any city or borough or place sharing in the election therewith, then he shall, in like manner, give or cause to be given to the town clerk of such city, borough or place, a notice, according to the form numbered (7) in the said schedule (B.), or to the like effect; and the overseers and

town clerks respectively shall include the names of Lists of all persons so claiming as aforesaid in lists, according ^{claimants to be made.} to the forms numbered (8) and (9) respectively in the said schedule (B.)

XVI. And be it enacted, That it shall be lawful for any person whose name shall be on any list of voters for the time being for any city or borough, or for any person who shall have claimed to have his name inserted in any such list, upon request made by such person, at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day except *Sunday*, between the tenth day of *August* and the last day of *August*, to any overseer or other officer having the custody of any poor-rate book, to inspect such poor-rate book, and make extracts therefrom for any purpose relating to any claim or objection made or intended to be made by or against such person, and every such overseer or other officer as aforesaid is hereby required, upon such request as aforesaid, to permit such inspection and the making of such extracts, without payment of any fee.

XVII. And be it enacted, That every person whose name shall have been inserted in any list of voters for any city or borough may object to any other person as not having been entitled on the last day of the list. ^{persons named in the list may object to others as not being entitled to be in}
July next preceding to have his name inserted in any list of voters for the same city or borough ; and every person so objecting shall, on or before the twenty-fifth day of *August* in that year, give or cause to be given a notice, according to the form numbered (10) in the said schedule (B), or to the like effect, to the overseers who shall have made out the list in which the name of the person so objected to shall have been inserted; or if the person objected to shall have been inserted in the list of freemen of any city or borough, except ^{Notices of objection to be given to the overseers, or to the town clerk;}

and also to the person objected to.

the city of *London*, then to the town clerk of such city or borough; and every person so objecting shall also give or cause to be left at the place of abode of the person objected to, as stated in the said list, a notice, according to the form numbered (11) in the said schedule (B.); and every notice of objection shall be signed by the person objecting.

List of persons objected to be made.

XVIII. And be it enacted, That the said overseers shall include the names of all persons so objected to in a list, according to the form numbered (12) in the said schedule (B.); and every town clerk shall include the names of all persons so objected to as free-men in a list, according to the form numbered (13) in the said schedule (B.); and the said overseers and town clerks respectively shall sign each of the said lists, and cause copies thereof to be written or printed, and shall publish the said list of persons objected to, and the said list of claimants as aforesaid, on or before the first day of *September* in the said year; and shall keep copies of the said lists, and shall allow the same, and also the notices of objection which they shall have received, to be perused by any person, without payment of any fee, at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day except *Sunday*, during the first fourteen days of *September* in the said year, and shall deliver copies of each of such lists to any person requiring the same, on payment of a price for each copy after the rate contained in the table numbered (1) in the schedule (D.) to this Act annexed.

Overseers to deliver copies of lists to the town clerk.

XIX. And be it enacted, That the said overseers shall, on or before the twenty-ninth day of *August* in every year, deliver to the said town clerk a copy of the said list of voters made out by them as aforesaid, and a copy of the said list of persons who shall

have claimed as aforesaid, and a copy of the list of persons objected to as aforesaid.

XX. And be it enacted, That for providing a list ^{Freemen and} _{liverymen of the} _{city of London.} of such of the freemen of the city of *London* as are liverymen of the several companies entitled to vote in the election of a member or members to serve in parliament for the city of *London*, the secondaries of the said city shall, on or before the twentieth day of *July* in every year, issue precepts to the clerks of the said livery companies, requiring them to make out or cause to be made out, at the expense of the respective companies, an alphabetical list, according to the form numbered (1) in schedule (C) to this Act annexed, of the freemen of *London* being liverymen of the said respective companies, and entitled to vote in such election; and every such clerk shall sign such list, and transmit the same, with two printed copies thereof, to the secondaries, on or before the last day of *July*, who shall forthwith fix one such copy in the Guildhall, and one in the Royal Exchange of the said city, there to remain fourteen days; and the clerks of the said livery companies shall cause a sufficient number of copies of such lists of freemen and liverymen of their respective companies to be printed at the expense of the respective companies, and shall keep and allow the same to be perused by any person without payment of any fee, at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day except *Sunday*, during fourteen days next after such lists shall have been published, and shall deliver the same to any person applying for the same, on payment of a price for each copy after the rate contained in the table numbered (1) in the schedule (D.) to this Act annexed; and every person whose name shall have been omitted in any such list of freemen and liverymen, and who shall claim to have his name

inserted therein, as having been entitled on the last day of *July* then next preceding, to have his name inserted in such list, shall, on or before the twenty-fifth day of *August* in such year, give or cause to be given a notice according to the form numbered (2) in the said schedule (C.), or to the like effect, to the secondaries and to the clerk of that company in the list whereof he shall claim to have his name inserted; and every person whose name shall have been inserted in any list of voters for the time being for the said city may object to any other person as not having been entitled on the last day of *July* then next preceding to have his name inserted in any such livery list; and every person so objecting shall, on or before the said twenty-fifth day of *August*, give to such other person, or leave at his place of abode, as described in such list, a notice according to the form numbered (4) in the said schedule (C.), or to the like effect, and shall also give to the secondaries and to the clerk of that company in the list whereof the name of the person objected to has been inserted, notice according to the form numbered (5) in the said schedule (C.), or to the like effect; and the secondaries shall include the names of all persons so claiming and so objected to as aforesaid in two several lists, according to the forms numbered (3) and (6) in the said schedule (C.) and shall cause such last mentioned lists to be fixed in the Guildhall and Royal Exchange of the said city on or before the first day of *September*; and, shall likewise keep copies thereof, and allow the same to be perused by any person without payment of any fee, at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day except *Sunday*, during the fourteen days following the first publication of the said list, and shall deliver copies thereof to any person applying for the same, on payment of a price for each copy

after the rate contained in the table numbered (1) in the schedule (D.) to this Act annexed.

XXI. And be it enacted, That for all the purposes of forming a register of voters for the borough of *New Shoreham*, and for the borough of *Cricklade* respectively, under the provisions of this Act, all persons having a right to vote for the borough of *New Shoreham* in respect of any freeholds which may be situate in the borough of *Horsham*, or for the borough of *Cricklade* in respect of any freeholds which may be situate in the borough of *Malmesbury*, shall be inserted in the same lists of voters respectively, in which they are to be inserted by the directions in that behalf of the said recited Act.

Freeholders in
Horsham and
Malmesbury en-
titled to vote for
New Shoreham
and Cricklade,
where to be re-
gistered.

XXII. And be it enacted, That every precinct or place, whether extra-parochial or otherwise, which shall have no overseers of the poor, shall, for the purpose of making any claim, and making out any list directed by this Act, be deemed to be within the parish or township adjoining thereto, and sharing in the right of election to which such claim or list may relate; and if such parish or place shall adjoin two or more parishes or townships situated as aforesaid, it shall be deemed to be within the least populous of such parishes or townships, according to the last census for the time being.

XXIII. And be it enacted, That every notice, list, register or other document herein required to be published, shall be so published, except where some other mode or place of publication is herein expressly provided, by being fixed in some public and conspicuous situation, on the outside of the outer door or outer wall near the door of the buildings hereinafter named for that purpose; (that is to say) in the case of publication by overseers, every church and public

What shall be publication of notice.

chapel in their parish or township, including places of public worship which do not belong to the established church, and in the case of publication by a town clerk, the town-hall, or in either case, if there be no such building as is hereinbefore named for that purpose, then in some public and conspicuous situation within the parish or township, city, borough or place respectively.

Time for which publication shall be.

XXIV. And be it enacted, That in all cases in which any notice, list, register or other document shall, pursuant to the provisions aforesaid, be affixed on or near the door of any church, chapel, town-hall or other place, the same shall continue so fixed for a period including two consecutive *Sundays* at the least next after the day on or before which the same is hereinbefore required to be published; and in case the same shall be destroyed, mutilated, effaced or removed before the expiration of such period, the party hereinbefore required to publish the same as aforesaid shall, as soon as conveniently may be, publish in like manner in its place another notice, list, register or other document, to the like purport and effect with the notice, list, register, paper or document so destroyed, mutilated, effaced or removed.

Penalty for hindering publication.

XXV. And be it enacted, That every person who shall wilfully destroy, mutilate, efface or remove any notice, list, register or other document so affixed as aforesaid, during the period during which the same is hereinbefore required to remain so affixed, shall for every such offence forfeit any sum not exceeding forty shillings nor less than ten shillings to any person who will sue for the same, to be recovered in a summary manner before any two justices of the peace.

List not invali-

XXVI. And be it enacted, That no list shall be

invalidated by reason that it shall not have been affixed in every place and for the full time hereinbefore required for publication thereof, but that the barrister shall proceed to revise and adjudicate upon every such list which shall have been affixed in any place and for any part of the time hereinbefore mentioned in that behalf; but nothing herein contained shall be construed to exempt the overseer, town clerk or other person charged with the duty of publishing such list as aforesaid from the penalties of his neglect or wilful default.

XXVII. And be it enacted, That in case no list of voters shall have been made out for any parish, township or place in any year, or in case such list shall not have been affixed in any place hereinbefore mentioned in that behalf, the register of voters for that parish, township or place then in force shall be taken to be the list of voters for that parish, township or place for the year then next ensuing, and the provisions herein contained respecting any such list of voters shall be taken to apply to such register as aforesaid.

XXVIII. And be it enacted, That the lord chief justice of the court of Queen's Bench shall, in the month of *July* or *August* in every year, appoint so many barristers as he shall deem necessary to revise the lists of voters for that year for the county of *Middlesex*, and for the city of *London*, the city of *Westminster*, and the several boroughs in the county of *Middlesex*, and that the senior judge for the time being in the commissions of assize for every other county shall, during the summer circuit in every year, appoint so many barristers as he shall deem necessary to revise the lists of voters for that year for every such county, or for the ridings, parts and divisions of every such county, and for the several cities and boroughs in every

Lord chief justice and judges of assize to appoint barristers for revising lists.

such county, and for every city and town, and county of a city and town next adjoining to any such county; and the town and county of the town of *Kingston-upon-Hull* shall for this purpose be considered as next adjoining to the county of *York*, and the town of *Berwick-upon-Tweed*, and the town and county of the town of *Newcastle-upon-Tyne* as next adjoining to the county of *Northumberland*, and the city and county of the city of *Bristol* as next adjoining to the county of *Somerset*; and the said lord chief justice and judge respectively shall in every year have power to appoint one or more barristers to revise the lists for that year for the same county, city or borough, or other place as aforesaid, or one barrister only to revise the lists for several counties, cities, boroughs and other places as aforesaid: provided always, That, except as is hereinafter provided, no greater number of barristers shall be so appointed in any year than as follows; (that is to say) for the county of *Middlesex*, and for the city of *London*, the city of *Westminster*, and the boroughs in the county of *Middlesex*, three; for the counties, cities, boroughs and places within the home circuit, ten; for the counties, cities, boroughs and places within the western circuit, fourteen; for the counties, cities, boroughs and places within the *Oxford* circuit, twelve; for the counties, cities, boroughs and places within the Midland circuit, eleven; for the counties, cities, boroughs and places within the *Norfolk* circuit, eight; for the counties, cities and boroughs and places within the Northern circuit, fifteen; for the counties, cities, boroughs and places within the *North Wales* circuit, six; for the counties, cities, boroughs and places within the *South Wales* circuit, six: provided also, That no barrister shall be so appointed who shall be of less than three years' standing, or a member of parliament, or who shall hold any office or place of profit under the crown, except the office of recorder of any city or borough; but no such

barrister shall be so appointed for any city or borough of which he shall be the recorder; and that no barrister appointed as aforesaid shall for eighteen months from the time of his appointment be eligible to serve in parliament for any county, riding, parts or division of a county, or for any city, borough or other place as aforesaid for which he shall be so appointed.

XXIX. And be it enacted, That, notwithstanding anything hereinbefore contained, if it shall appear to the lord chief justice or judge who shall have appointed any barrister or barristers under this Act to revise any lists of voters, that by reason of the death, illness or absence of any such barrister or barristers, or by reason of the insufficiency of the number of such barristers, or from any other cause, such list cannot be revised within the period directed by this Act, it shall be lawful for such lord chief justice or judge, and he is hereby required to appoint one or more barrister or barristers qualified as aforesaid, to act in the place of or in addition to the barrister or barristers originally appointed for any county, city or borough; and such barrister or barristers so subsequently appointed shall have the same powers and authorities in every respect as if they had been originally appointed by such lord chief justice or judge: provided always, That whenever any such additional barrister or barristers shall have been appointed for the revision of the lists of voters as aforesaid, and that in consequence or by reason of such appointment, the total number of barristers appointed to revise in any one year shall exceed the whole number hereinbefore authorised to be appointed, the commissioners of Her Majesty's treasury shall cause an account of all such appointments of additional barristers, and the sums respectively paid to them, to be laid before each house of parliament within twenty days after the next meeting of parliament,

Judges to appoint additional barristers in case of need.

Barristers may hold separate courts.

XXX. And be it enacted, That where two or more barristers shall be appointed for the same county, riding, parts or division of a county, or for the same city or borough, they may hold separate courts at the same time and place for the dispatch of business, or may hold separate courts at different times and places, as shall be deemed most expedient.

Barrister to notify his appointment to clerk of the peace and town clerks, who are to transmit to him abstracts and lists.

XXXI. And be it enacted, That every such revising barrister shall notify his appointment to the clerk of the peace of every county, and to the town clerk of every city and borough, of which he shall be appointed to revise the lists; and each clerk of the peace shall as soon as possible transmit an abstract of the number of persons objected to by the overseers and by other persons in each parish and township, in and for the same county; and the town clerk of every city or borough shall as soon as possible transmit an abstract of the said several lists of claimants, and the lists of persons objected to in each parish or township, in and for the same city or borough, to the said barrister, in order that proper times and places for holding courts for the revision of such lists respectively may be appointed.

Barristers to hold courts for revising lists of voters for counties within a certain period, and to give notice of the times and places of holding such courts to clerk of the peace, who is to give notice thereof by advertisement, and to the overseers.

XXXII. And be it enacted, That the barrister appointed to revise the lists of any county shall make a circuit and hold open courts for such revision at each of the places which now are or hereafter may be appointed as polling places for such county, and at any other places within the said county which he shall think expedient, at convenient times between the fifteenth day of *September* inclusive and the last day of *October* inclusive, in the then current year, and shall, ten days at the least before the holding of the first court of revision, give notice to the clerk of the peace of the several times and places at which the said courts will be holden, and of the several parishes

the lists of and for which will be revised at each of the said courts ; and the said clerk of the peace shall forthwith cause public notice thereof to be given by advertisement in one or more of the newspapers circulating within the said county, and shall cause a sufficient number of copies of the said notice to be written or printed, and shall deliver or send a copy thereof to the overseers of every parish or township, and require them to publish the said copy of the said notice, and to attend at the court therein appointed for the revision of the list of voters relating to their said parish or township, and the said overseers shall forthwith publish the said copy of the said notice accordingly.

XXXIII. And be it enacted, That the barrister or barristers appointed to revise the lists of voters for any city or borough shall hold an open court or courts for that purpose within such city or borough, and also within every place sharing in the election for such city or borough, between the fifteenth day of *September* inclusive and the last day of *October* inclusive, in the then current year, and such barrister or barristers shall, seven days at the least before holding any such court or courts, give notice to the town clerk of such city or borough of the time and place of holding the same ; and if such barrister shall, in his discretion, deem it expedient to hold his courts at different times and places within the said city or borough, the said barrister shall in such case give notice to the said town clerk of such times and places so appointed, and of the parishes allotted to each court ; and the town clerk shall forthwith publish a notice of the time and place of the holding of every such court as aforesaid on the town-hall, and on every church and chapel within such city or borough, or if there be no church or chapel or town-hall therein, then in some public and conspicuous place therein.

Barristers to hold courts for revising the lists of voters for boroughs, and give notice thereof to the town clerk, who is to publish the same.

Clerk of the peace to attend the first court, and overseers to attend the courts for their respective districts and parishes, and produce lists of voters, and answer questions.

XXXIV. And be it enacted, That the clerk of the peace of every county, at the opening of the first court, to be so holden as aforesaid in and for the same county, shall deliver or cause to be delivered to the said barrister or barristers all the lists of voters for the then current year with the marginal additions as aforesaid, and lists of persons objected to in the said year, relating to the said county, and also one or more printed copies of the register of voters then in force for the said county: and the overseers of every parish and township shall attend the court to be holden for revising the lists relating to their parish or township, and shall deliver to the barrister or barristers holding such court the original notices of claim and notices of objection given to them as aforesaid; and the said clerk of the peace and overseers shall (if required) answer upon oath all such questions as such barrister or barristers may put to them, and produce all documents, papers and writings in their possession, custody or power, touching any matter herein mentioned.

Town clerks, overseers, and in London secondaries and for the time being of every parish or township there- clerks of com- panies, to attend in, and in the city of London the secondaries and the courts, to produce lists and answer ques- tions, &c.

XXXV. And be it enacted, That the town clerk of every city or borough, and the several overseers for the time being of every parish or township there- clerks of com- panies, to attend in, and in the city of London the secondaries and the clerks of the several livery companies of such city, shall attend the first court to be holden before every such barrister for every such city or borough, unless they shall have been respectively required by notice to attend at some other court, in which case they shall attend the said court as required; and the said overseers, town clerks and secondaries respectively shall, at the opening of the said court, deliver to the said barrister the several lists so made by them respectively as aforesaid, and also the original notices of claim and of objection received by them as aforesaid; and the said overseers shall also produce at the

said court all rates made for the relief of the poor of their respective parishes or townships, between the sixth day of *April* in the year then last past and the last day of *July* in the then present year; and the said town clerks, overseers, secondaries, and clerks respectively shall answer upon oath all such questions as any such barrister may put to them or any of them, and produce all documents, papers, and writings in their possession, custody, or power touching any matter necessary for revising the list of voters; and every such barrister shall have power to require any assessor, collector of taxes, or other officer having the custody of any tax assessment or duplicate, or any overseer or overseers of a past year, or other person having the custody of any poor rate of the then current or any past year, or any relieving officer, and in the city of *London* the chamberlain or his deputy, to attend before him at any court to be holden by him in pursuance of this Act, and they shall attend accordingly, and answer upon oath all such question as such barrister may put to them.

Power of barrister to require attendance of overseer of past year, and assessor and collector, &c. of taxes, who shall answer upon oath all questions put to them.

XXXVI. And be it enacted, That any person voters residing whose name shall appear in the list of voters of any parish or township in and for any county, and whose place of abode, as stated in such list, shall not be within the polling district at which the said parish or township shall be allotted to poll, but within the same county, shall be at liberty to make his claim before the revising barrister to vote at the polling place of the district wherein his said place of abode may be situate; and any person whose name shall appear in any list as aforesaid, and whose place of abode, as stated in such list, shall not be within the same county, shall be at liberty in like manner to make his claim to vote at the polling place of any district within the same county; and every such person shall make his claim in writing under his hand,

out of the polling district to which the parish wherein their qualification is situate belongs may vote in another polling district, on making a claim before the revising barrister.

and such claim shall be delivered to and verified before the revising barrister holding his court for the revision of the list of voters, in which the name of such person shall appear as aforesaid; and it shall then be lawful for the said barrister to insert in the said list against the name of such person so claiming as aforesaid, the name of the polling place at which such person shall be registered to vote; and such person so registered shall be admitted to vote at every contested election for the said county at the said last-mentioned polling place, and not elsewhere, any thing in the said recited Act to the contrary notwithstanding.

Barrister to have power to insert in the county lists the names of claimants omitted by the overseer, on proof of claim and qualification.

XXXVII. And be it enacted, That if any person who shall have given to the overseers of any parish or township due notice of his claim to have his name inserted in the list of persons entitled to vote in the election of a knight or knights of the shire, shall have been omitted by such overseers from such list, it shall be lawful for the revising barrister, upon the revision of such list to insert therein the name of the person so omitted, in case it shall be proved to the satisfaction of such barrister that such person gave due notice of such his claim to the said overseers, and that he was entitled on the last day of July then next preceding to be inserted in the said list of voters.

Power of barrister to insert names in lists of borough voters.

XXXVIII. And be it enacted, That the revising barrister shall insert in any list of voters for any city or borough the name of every person omitted who shall be proved to the satisfaction of such barrister to have given due notice of his claim to be inserted in such list, and to have been entitled on the last day of *July* then next preceding to have his name inserted therein in respect of the qualification described in such notice of claim.

XXXIX. And be it enacted, That it shall be law- Any person on list of voters may object to claimants.
ful for any person whose name shall be on any list of voters for any county, city or borough, to oppose the voters for any county, city or borough, to oppose the
claim of any person so omitted as aforesaid to have his name inserted in any list of voters for the same county, city, or borough ; and such person intending to oppose any such claim shall, in the court to be holden as aforesaid for the revision of such list, and before the hearing of the said claim, give notice in writing to the revising barrister of his intention to oppose the said claim, and shall thereupon be admitted to oppose the same by evidence or otherwise, without any previous or other notice, and shall have the same rights, powers and liabilities as to costs, appeal, and other matters relating to the hearing and determination of the said claim, as any person who shall have duly objected to the name of any other person being retained on any list of voters, and who shall appear and prove the requisite notices as hereinafter mentioned.

XL. And be it enacted, That the revising barrister shall correct any mistake which shall be proved to him to have been made in any list, and shall expunge the name of every person whose qualification, as stated in any list, shall be insufficient in law to entitle such person to vote, and also the name of every person who shall be proved to him to be dead ; and wherever the christian name, or the place of abode, or the nature of the qualification, or the local or other description of the property of any person who shall be included in any such list, and the name of the occupying tenant thereof, shall be wholly omitted in any case where the same is by this Act directed to be specified therein, or if any person whose name is included in any such list, or his place of abode, or the nature or description of his qualification, shall, in the judgment of the revising barrister, be insufficiently Corrections which may be made by barrister in the register.

described for the purpose of being identified, such barrister shall expunge the name of every such person from such list, unless the matter or matters so omitted or insufficiently described be supplied to the satisfaction of such barrister before he shall have completed the revision of such list, in which case he shall then and there insert the same in such list:

No change to be made of the qualification stated in the lists.

Provided always, that, whether any person shall be objected to or not, no evidence shall be given of any other qualification than that which is described in the list of voters or claim, as the case may be, nor shall the barrister be at liberty to change the description of the qualification as it appears in the list, except for the purpose of more clearly and accurately defining the same; and where the name

Mode of proceeding in cases of objection.

of any person inserted in any list of voters shall have been objected to by the overseers, or by any other person, and such other person so objecting shall appear by himself, or by some one on his behalf, in support of such objection, and shall prove that he gave the notice or notices respectively required by this Act to be given by him, every such barrister shall then require it to be proved that the person so objected to was entitled on the last day of *July* then next preceding to have his name inserted in the list of voters in respect of the qualification described in such list; and in case the same shall not be proved to the satisfaction of such barrister, or in case it be proved that such person was then incapacitated by any law or statute from voting in the election of members to serve in parliament, such barrister shall expunge the name of every such person from the said lists: Provided always, that where any person whose name appears on any list of voters for any county shall be objected to on the ground of having changed his place of abode without having sent in a fresh notice of claim, it shall be lawful for the barrister on revising the list to retain the name of such

Provision in certain cases of change of abode.

person on the list of voters, provided that such person, or some one in his behalf, shall prove that he possessed, on the last day of *July*, the same qualification in respect of which his name has been inserted in such list, and shall also supply his true place of abode, which the said barrister shall insert in such list.

XLI. And be it enacted, That every revising barrister holding any court under this Act shall have power to adjourn the same from time to time, and from any one place to any other place within the same county, or within the same city or borough, but so that no such adjourned court shall be holden after the last day of *October* in any year; and at every court to be holden as aforesaid by any revising barrister, the said barrister shall have power to administer an oath to all persons examined before him, and all parties, whether claiming or objecting or objected to, and all persons whatsoever, may be examined upon oath touching the matters in question; and every person taking any oath or affirmation under this Act, who shall wilfully swear or affirm falsely, shall be deemed guilty of perjury, and at the holding of such respective courts no party or other person shall appear or be attended by counsel; and every such barrister shall, upon the hearing in open court, finally determine upon the validity of such claims and objections, and shall, for that purpose, have the same powers and proceed in the same manner (except where otherwise directed by this Act) as the returning officer of any county, city or borough, according to the laws and usages observed at elections previous to the passing of the said recited Act; and such barrister shall in open court write his initials against the names respectively expunged or inserted, and against any part of the said lists in which any mistake shall have been corrected or any omission

Power of revising barristers
to adjourn their
courts, administer oath, &c.

Persons swearing falsely
guilty of perjury.

Barrister in
open court to
decide upon va-
lidity of claims
and objectio n's.

supplied or any insertion made by him, and shall sign his name to every page of the several lists so settled.

Appeal from
revising bar-
rister's decision
on points of law

XLII. And be it enacted, That it shall be lawful for any person who, under the provisions hereinbefore contained, shall have made any claim to have his name inserted in any list, or made any objection to any other person as not entitled to have his name inserted in any list, or whose name shall have been expunged from any list, and who in any such case shall be aggrieved by or dissatisfied with any decision of any revising barrister on any point of law material to the result of such case, either himself or by some person on his behalf, to give to the revising barrister in court, before the rising of the said court, on the same day on which such decision shall have been pronounced, a notice in writing that he is desirous to appeal, and in such notice shall shortly state the decision against which he desires to appeal; and the said barrister thereupon, if he thinks it reasonable and proper that such appeal should be entertained, shall state in writing the facts which according to his judgment shall have been established by the evidence in the case, and which shall be material to the matter in question, and shall also state in writing his decision upon the whole case, and also his decision upon the point of law in question appealed against; and such statement shall be made as nearly as conveniently may be in like manner as is now usual in stating any special case for the opinion of the court of Queen's Bench upon any decision of any court of quarter sessions; and the said barrister shall read the said statement to the appellant in open court, and shall then and there sign the same; and the said appellant, or some one on his behalf, shall at the end of the said statement make a declaration in writing under his hand to the following effect, that is to say, "I appeal from this

Revising bar-
rister to prepare
a statement of
facts.

Appellant to
make a declara-
tion in writing.

“decision;” and the said barrister shall then in-
dorse upon every such statement the name of the
county and polling district, or city and borough, and
of the parish or township to which the same shall
relate, and also the Christian name and surname and
place of abode of the appellant and of the respondent
in the matter of the said appeal, and shall sign and
date such indorsement; and the said barrister shall
deliver such statement, with such indorsement there-
on, to the said appellant, to be by him transmitted to
Her Majesty’s court of Common Pleas at *West-
minster* in the manner hereinafter mentioned; and
the said barrister shall also deliver a copy of such
statement, with the said indorsement thereon, to the
respondent in such appeal who shall require the same.

Revising bar-
rister to indorse
on statement the
names of parties,
&c.;

and deliver a
copy to either
party requiring
it.

XLIII. And be it enacted, That in the matter of every such appeal the party in whose favour the decision appealed against shall have been given shall be the respondent; but if there be no such party, or if such party, or some one on his behalf, shall in open court decline, and state in writing that he declines, to support the decision appealed against as respondent, then and in every such case it shall be lawful for the said revising barrister to name any person who may be interested in the matter of the said appeal, and who may consent, or the overseers of any parish or township, or the town clerk of any city or borough, to be, and such person so consenting, or such overseers or town clerk respectively so named, shall be deemed to be the respondent or respondents in such appeal.

Who shall be
respondent on
appeal.

XLIV. And be it enacted, That if it shall appear to any revising barrister that the validity of any number of such claims or objections determined by him at any court as aforesaid depends and has been decided by him upon the same point or points of law,

Power to conso-
lidate appeals.

and the parties, or any of them, aggrieved by or dissatisfied with his decision thereon, shall have given notice of an intention to appeal therefrom, it shall in such case be lawful for the said barrister to declare that the appeals against such decision ought to be consolidated, and the said barrister shall in such case state in writing the case, and his decision thereon, in manner hereinbefore mentioned, and that several appeals depend upon the same decision, and ought to be consolidated, and shall read such statement, and sign the same, as hereinbefore mentioned, and thereupon it shall be lawful for the said barrister to name any person interested, and consenting, for and on behalf of himself and all other persons in like manner interested in such appeals, to be the appellant or respondent respectively in such consolidated appeal, and to prosecute or answer the said appeal, in like manner as any appellant or respondent might in his own case under the provisions of this Act, and the person so named appellant in such consolidated appeal, or some one on his behalf, shall, at the end of the said statement, make and sign a declaration in the form or to the effect following; (that is to say),

‘ I, for myself and on behalf of all the other persons who are interested as appellants in this matter, and whose names are hereunder written, do appeal against this decision, and agree to prosecute this appeal.’

And the person so named respondent in such consolidated appeal, or some one on his behalf, shall in like manner make and sign a declaration in writing in the form or to the effect following; (that is to say),

‘ I, for myself and on behalf of all the other persons

‘ interested as respondents in this matter, and whose names are hereunder written, do agree to appear and answer this appeal.’

And the name, and, where necessary, the particulars of the qualification of every party intended to be joined in such consolidated appeal, shall be written under the aforesaid declaration of the appellant or respondent respectively to which they may respectively refer: Provided always, That it shall be lawful for the said barrister, if necessary, in any case to name the overseers of any parish or township, or the overseers or town clerk may be named as town clerk of any city or borough, to be, and they or he so named shall be, the respondents or respondent in such consolidated appeal, without any such declaration being made or signed by them or him as hereinbefore mentioned.

XLV. And be it enacted, That in and with regard to every such consolidated appeal the like proceeding shall be had and taken and the like rules and regulations shall apply as in the case of any other appeal under this Act; and that every order, judgment, or decision of the said court of Common Pleas shall be equally valid and effectual for all the purposes of this Act, and binding and conclusive upon all the parties named in or referred to as parties to such consolidated appeal as aforesaid; and that if in any case all or any of the parties to such consolidated appeal shall make or enter into any agreement as to the mode of contributing among themselves to the costs and expenses of such appeal, the said agreement may, upon the application of any party or parties thereto, be made a rule of the said court of Common Pleas, if the said court shall think fit: Provided always, that if any such consolidated appeal shall not be duly prosecuted or answered, it shall be lawful for the said court of Common Pleas, or for the lord chief justice or any judge of the said court, to give to any party

Agreement for contribution to costs of consolidated appeal may be made a rule of court.

If consolidated appeal not duly prosecuted or answered, the court or a judge may give conduct of it or of

the answer to
other persons.

If party interest-
ed shall refuse
to be a party,
&c.

or parties interested in such appeal, upon his or their application, the conduct and direction of the said appeal, or of the answer thereto, respectively, as the case may require, instead of or in addition to any person named as aforesaid as appellant or respondent, and in such manner and upon such terms as the said court or lord chief justice or judge may think fit and order, or to make such other order in the case as may seem meet; Provided also, that if after the said barrister shall as aforesaid have declared that the appeal in any case ought to be with others consolidated, any party interested in such appeal, shall object and refuse to be a party to or to be bound by any such consolidated appeal, then and in such case the appeal in which such person is interested may proceed separately, but such person so refusing or objecting shall be liable to pay costs to the other party, but shall not be entitled to receive any costs of or in such appeal, unless the said court otherwise order.

Power to barris-
ter to give costs
in certain cases
to parties claim-
ing or objecting.

XLVI. And be it enacted, That if in any case it shall appear to any revising barrister holding any court as aforesaid that any person shall under this Act have made or attempted to sustain any groundless or frivolous and vexatious claim or objection or title to have any name inserted or retained in any list of voters, it shall be lawful for the said barrister, in his discretion, to make such order as he shall think fit for the payment by such person of the costs or of any part of the costs of any person or persons in resisting such claim or objection or title: and in every such case the said barrister shall make an order in writing, specifying the sum which he shall order to be paid for such costs, and by whom and to whom and when and where the same sum shall be paid, and shall date and sign the said order, and deliver it to the person or persons to whom the said sum shall therein be ordered to be paid: Provided always,

that the said sum so ordered to be paid by way of costs shall not in any case exceed the sum of twenty shillings: Provided also, that such order for the payment of costs as aforesaid may be made in any case, notwithstanding any party shall have given notice of his intention to appeal against any decision of the revising barrister in the same case; but in case of such appeal the said order for the payment of costs shall be suspended, and shall abide the event of such appeal, unless the court of appeal shall otherwise direct; but no appeal shall be allowed or entertained against or only in respect of any such order for the payment of costs: Provided also, that whenever any revising barrister shall have made any such order for the payment of any sum of money for costs by any person who shall have made any objection as aforesaid, it shall not be lawful for the said barrister to hear or admit proof of any other objection or notice of objection made or signed by the same person until the sum of money so ordered to be paid by him for costs, be paid to the person entitled to receive the same, or deposited in the hands of the said barrister in court, for the use of the person so entitled.

XLVII. And be it enacted, That the said lists of voters for each county, signed as aforesaid, shall be forthwith transmitted by the revising barrister to the clerk of the peace of the same county, and the clerk into a book. County lists to be transmitted to clerk of the peace, and to be by him copied of the peace shall keep the said lists among the records of the sessions, and shall forthwith cause the said lists to be copied and printed in a book or books, arranged with the names in each parish or township in strict alphabetical order, according to the surnames, and with every polling district in alphabetical order, and with every parish or township within such polling district likewise in the same order, and shall, after the last list for each polling district, insert a list in like alphabetical order of all persons

whose names shall not appear in any of the said lists for such polling district, but who shall in manner hereinbefore mentioned have been registered by the revising barrister to vote at the polling place of such last-mentioned district, and shall in the said book prefix to every name its proper number, beginning the numbers from the first name, and continuing them in a regular series down to the last name: Provided always, that a number as aforesaid shall be prefixed to the name of every person in every such list inserted after the last list for any polling district as aforesaid; and no number, but an asterisk only, shall be prefixed to the name of the same person in the list of the parish or township in which his name originally appeared; and every such book shall be printed and arranged in such manner and form that the list of voters of and for each and every separate parish or township contained therein may be conveniently and completely cut out or detached from all the other lists of voters contained in the same book, so that all the lists for every or any polling place, or the list of every or any single parish or township, may be ready for the purposes of this Act or for sale; and the said clerk of the peace shall sign and deliver the said book or books on or before the last day of *November* in the then current year, to the sheriff of the county, to be by him and his successors in the office of sheriff safely kept, for the purposes hereinafter and in the said recited Act mentioned.

Clerk of the
peace to sign
and deliver a
copy to the
sheriff.

Borough lists to
be delivered to
the town clerks,
and copied into
a book.

XLVIII. And be it enacted, That the list of voters for each city or borough, signed as aforesaid, shall be forthwith delivered by the revising barrister to the town clerk of the same city or borough; and the said town clerk shall forthwith cause the said lists to be copied and printed in a book; and in the said book he said lists shall be arranged and every name

numbered according to the directions aforesaid with regard to the county lists, so far as the same are applicable; and the said town clerk shall sign and deliver the said book on or before the said last day of *November* to the returning officer of the same city or borough, to be by him and his successors as returning officer safely kept for the purposes herein-after mentioned.

Town clerks to sign and deliver same to returning officers.

XLIX. And be it enacted, That the said printed Books to be the register of voters for one year book or books, so signed as aforesaid by the clerk of the peace or town clerk respectively, and given into the custody of the sheriff of any county, or the returning officer of any city or borough, as the case may be, shall be the register of persons entitled to vote at any election of a member or members to serve in parliament which shall take place in and for the same county, city, or borough respectively, between the last day of *November* in the year wherein such register shall have been made and the first day of *December* in the succeeding year: Provided always, that the register of electors now in force shall be the register in force until the first day of *December* in the year one thousand eight hundred and forty-three; and the clerk of the peace of every county, and the town clerk of every city or borough respectively, shall keep printed copies of the said register for such county, city, or borough, and shall deliver such copies of such register, or of any part thereof, to any person applying for the same, upon payment of a price after the rate contained in the table numbered (2) in the schedule (D.) to this Act annexed: Provided always, that no person shall be entitled to a copy of any part of any register relating to any parish or township without taking or paying for the whole that relates to such parish or township.

Copies of registers to be printed for sale.

Assessors and other officers neglecting to attend when summoned by revising barrister, liable to be fined.

L. And be it enacted, That any assessor or collector of taxes, or other officer, or any overseer or overseers of the poor, or other persons having the custody of any poor-rate book for any past year, or any assistant overseer or relieving officer, who shall wilfully refuse or neglect, when duly required by summons under the hand of any revising barrister, to attend before such barrister at any court to be holden as aforesaid, according to the exigency of such summons, shall, upon proof before him of the service of such summons, be liable to pay by way of fine for every such offence a sum of money not exceeding five pounds nor less than twenty shillings, to be imposed by and at the discretion of the said barrister holding any such court as aforesaid.

Power to barristers to fine overseers for neglect of duty.

LI. And be it enacted, That any overseer of any parish or township who shall wilfully refuse or neglect to make out any list, or who shall wilfully neglect to insert therein the name of any person who shall have given due notice of claim, or who in making out the list of voters for any city or borough shall wilfully and without any reasonable cause omit the name of any person duly qualified to be inserted in such list, or who shall wilfully and without reasonable cause insert in such list the name of any person not duly qualified, or who shall wilfully refuse or neglect to publish any notice or list, or copy of the part of the register of voters relating to his parish or township, at the time and in the manner required by this Act, or who shall wilfully refuse or neglect to deliver to the clerk of the peace the copy of the lists of claimants and of persons objected to, and the copies of the register, as required by this Act, or who shall wilfully refuse or neglect to deliver to the town clerk of the city or borough the copies of the several lists as required by this Act, or who shall

wilfully refuse or neglect to attend the court for revising the lists of voters of his parish or township, or to attend any revising barrister when required by any summons as aforesaid, or who shall wilfully refuse or neglect to deliver to the barrister or barristers holding any such court the several lists to be made out by them as aforesaid, or who shall be wilfully guilty of any other breach of duty in the execution of this Act, shall for every such offence be liable to pay by way of fine a sum of money not exceeding five pounds nor less than twenty shillings, to be imposed by and at the discretion of any barrister holding any court for the revision of any list of the parish or township of such overseer: Provided always, that nothing herein contained as to any fine as aforesaid shall affect or abridge any right of action against any overseer or other person liable to any fine as aforesaid, or any liability such overseer or other person may incur under or by virtue of this Act, or the said recited Act.

LII. And be it enacted, That every revising barrister, when and so often as he shall impose any such fine as aforesaid, shall at the same time in open court, by an order in writing under his hand stating the sum payable for such fine, direct by and to whom and when the same shall be paid, and the person to whom the said sum shall be so ordered to be paid shall receive the same, and in every case where the offence for which the said fine shall have been so imposed shall relate to the formation of the register of voters for any county he shall pay over the sum so received by him to the clerk of the peace of the same county, and in every case where such offence shall relate to the formation of the register of voters for any city or borough he shall pay over the sum so received by him to the town clerk of the same city or borough, or to the said secondaries, as the case may require.

Fines, to whom payable, and to what purpose to be applied.

LIII. And be it enacted, That the clerk of the peace Clerk of the

peace and town clerk to account for and pay over all monies received by them. of every county and the town clerk of every city or borough respectively shall keep an account of all monies to be received by him or them for or on account of the sale of any copies of the register as aforesaid, or for or by way of fine imposed as aforesaid ; and the said clerk of the peace shall pay over or account for all such monies received by him to the said treasurer of the same county, to be applied in aid of the county rate ; and the said town clerk shall pay over or account for all such monies so received by them to and amongst the overseers of the several parishes and townships within every city or borough ; and the share of each parish or township shall be calculated as nearly as may be according to the same relative proportion as the number of persons whose names shall appear in the list of the said parish or township shall bear to the number in all the other lists upon the same register ; and the said monies, together with all monies received by any overseers from the sale by them of any lists, shall be paid and applied by the said overseers in aid of the monies collected for the relief of the poor.

**Expenses of
clerks of the
peace, how to be
defrayed.**

LIV. And be it enacted, That an account of all expenses incurred by any clerk of the peace of any county in carrying into effect the provisions of this Act shall be laid before the justices of the peace at the next quarter sessions after such expenses shall have been incurred, and the said justices of the peace shall make their order upon the treasurer of the said county for the payment of such expenses, or such part thereof as they shall allow to the said clerk of the peace, out of the public stock of the said county.

**Expenses of
town clerks
and returning
officers, how to
be defrayed.**

LV. And be it enacted, That all the expenses incurred by any town clerk or returning officer of any city or borough in carrying into effect the provisions of this Act shall be defrayed out of the monies to be collected for the relief of the poor in the several parishes and townships within the same city or

borough; and the sum to be contributed by every such parish or township shall be calculated, as nearly as may be, according to the same relative proportion as the number of persons whose names shall appear in the list of the said parish or township shall bear to the number in all the other lists upon the same register; and an account of all the said expenses so incurred, and also an account of the sum to be contributed for defraying the same by each parish or township as aforesaid, shall, as soon as may be after the said expenses shall have been so incurred, be laid before the common council or town council of the said city or borougn, or if there be no such council in any city or borougn, then before the justices of the peace at the quarter sessions to be holden in and for the county in which the same city or borougn is situate; and the said council or the said justices respectively shall when they allow the said accounts make and give to the said town clerk a certificate of the total sum allowed by such council or justices in respect of the said expenses, and also a certificate of the sum to be paid by and as the contribution of each of the said parishes or townships towards defraying the same; and thereupon it shall be lawful for the overseers of every such parish or township, and they are hereby required, out of the first monies to be collected for the relief of the poor, to pay the sum in such certificate mentioned to be paid by and as the contribution of the said parish or township to the said town clerk.

LVI. Provided always, and be it enacted, That Meaning of the words "town clerk" shall be understood to mean or apply to the town clerks of the cities of *London* or *Westminster*, or to the town clerk of the borough of *Southwark*, but throughout this Act by the words "town clerk" shall be understood in regard to the city of *London* the secon-

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daries of the said city, and in regard to the city of *Westminster* the high bailiff of the said city, and in regard to the borough of *Southwark* the high bailiff of the said borough.

Expenses of
overseers, how
to be defrayed.

LVII. And be it enacted, That an account of all expenses incurred by the overseers of every parish or township in carrying into effect the provisions of this Act shall be laid before the revising barrister at the court at which the list of voters for such parish or township shall be revised; and the said barrister shall sign and give to the said overseers a certificate of the sum which he shall allow to be due to them in respect of the said expenses; and it shall be lawful for the said overseers to receive the sum so certified to be due to them from and out of the first monies thereafter to be collected for the relief of the poor in the same parish or township.

No payment ne-
cessary by per-
sons making
claim in coun-
ties;

nor by persons
on register in
cities and
boroughs.

Remuneration of
revising barris-
ters.

LVIII. And be it enacted, That, notwithstanding any thing in the said recited Act contained, it shall not be necessary for or required of any person claiming or upon giving notice of any claim as herein or in the said recited Act mentioned to pay or cause to be paid to the overseer of any parish or township the sum of one shilling, or any other sum; nor shall any notice of claim as aforesaid be invalid by reason of such or any sum not having been paid; and no person whose name shall be upon any register of voters for any city or borough shall be therefore liable to the payment of one shilling annually, or of any other sum on that account.

LIX. And be it enacted, That every barrister appointed to revise any list of voters under this Act shall be paid the sum of two hundred guineas, by way of remuneration to him, and in satisfaction of his travelling and other expenses; and every such bar-

rister, after the termination of his last sitting, shall forward his appointment to the commissioners of Her Majesty's treasury, who shall make an order for the payment of the above sums to every such barrister, and all such sums shall be paid out of the consolidated fund of the united kingdom of *Great Britain* and *Ireland*: Provided always, that in the case of any barrister having been appointed under this Act to revise any lists of voters in addition to the barrister or barristers originally appointed, such barrister, instead of the sums abovementioned, shall be paid at the rate of five guineas for every day that he shall be so employed, together with three guineas each day for his travelling and other expenses; and every such last-mentioned barrister, after the termination of his last sitting, shall lay or cause to be laid before the commissioners of Her Majesty's treasury his appointment, and a statement of the number of days during which he shall have been so employed; and the said commissioners shall make an order for the payment of such sum as shall thereupon appear to be due to every such last-mentioned barrister, and every such sum shall also be paid out of the said consolidated fund, but so that no such barrister shall be entitled to or in any case be paid more than the sum of two hundred guineas.

LX. And be it enacted, That all appeals or matters of appeal from or in respect of any decision of any revising barrister entertained in manner hereinbefore mentioned shall be prosecuted, heard, and determined in and by Her Majesty's court of Common Pleas at *Westminster* according to the ordinary rules and practice of that court with respect to special cases, so far as the same may be applicable, and not inconsistent with the provisions of this Act, or in such manner and form, and subject to such rules and regulations, as the said court from time to time, by

Appeals to be heard by the court of Common Pleas.

any rule or order made for regulating the practice and proceedings in such appeals, shall order and direct.

Barristers to have equal right of practising with serjeants.

LXI. And be it enacted, That for the purposes of this Act, and in all matters relating to such appeals, Her Majesty's counsel learned in the law, and all other barristers-at-law, shall and may, according to their respective rank and seniority, have and exercise equal right and privilege of practising, pleading, and audience in the said court with the serjeants-at-law; and that it shall not be lawful for the said court to exclude the parties to any appeal from appearing or being heard by counsel before the said court.

Notice of appeal to be given by appellant.

LXII. And be it enacted, That every appellant who shall intend to prosecute his appeal shall, within the first four days in the *Michaelmas* term next after the decision to which such appeal shall relate, transmit to the masters of the said court of Common Pleas the statement in writing so signed by the said revising barrister as aforesaid, and shall also therewith give or send a notice, signed by him, stating therein his intention to prosecute the said appeal, and the said appellant shall also give or send a notice, signed by him, to the respondent in the said appeal, stating his said intention duly to prosecute such appeal in the said court; and one of the masters of the

Appeals to be entered in a book.

Appeals to be entered in a book.

one of the masters of the said court, to be nominated for that purpose by the lord chief justice of the said court, shall forthwith enter every appeal of which he shall have received due notice from the appellant as aforesaid in a book to be kept by him for that purpose.

Court to give notice of the time and place of hearing appeals.

LXIII. And be it enacted, That the judges of the said court of Common Pleas shall, as soon as may be after the fourth day of *Michaelmas* term in every year, make arrangements for hearing the appeals

entered as aforesaid, and shall appoint such certain day or days, either in term time or in time of vacation, as they may think fit and necessary, but as early as conveniently may be, for the purpose of hearing and deciding such appeals; and the said judges shall cause public notice to be given of the time and place so appointed by them for that purpose, and of the order in which such appeals will be heard.

LXIV. And be it enacted, That no appeal or matter of appeal whatsoever shall in any case, except where the conduct and direction of the appeal, or of the answer thereto, shall have been given by order of the court of Common Pleas, or of any judge thereof, to any person, be entertained or heard by the said court unless notice shall have been given by the appellant to the masters of the said court at the time and in the manner hereinbefore mentioned; and no appeal shall be heard by the said court in any case where the said respondent shall not appear, unless the said appellant shall prove that due notice of his intention to prosecute such appeal was given or sent to the said respondent ten days at least before the day appointed for the hearing of such appeal: Provided always, that if it shall appear to the said court that there has not been reasonable time to give or send such notice in any case it shall be lawful for the said court to postpone the hearing of the appeal in such case, as to the said court shall seem meet.

LXV. And be it enacted, That no appeal or notice of appeal under this Act shall be received or allowed against any decision of any revising barrister upon any question of fact only, or upon the admissibility or effect of any evidence or admission adduced or made in any case to establish any matter of fact only: Provided always, That if the said court shall be of opinion in any case that the statement of the matter

No appeal on
questions of fact
or the admissi-
bility of evi-
dence.

Court may remit
case to revising
barrister to be

more fully stated.

of the appeal is not sufficient to enable them to give judgment in law, it shall be lawful for the said court to remit the said statement to the revising barrister by whom it shall have been signed, in order that the case may be more fully stated.

Decisions of court to be final.

LXVI. And be it enacted, That every judgment or decision of the said court shall be final and conclusive in the case upon the point of law adjudicated upon, and shall be binding upon every committee of the house of commons appointed for the trial of any petition complaining of any undue election or return of any member or members to serve in parliament.

Decisions of court to be notified to the sheriff or returning officer, and register to be altered conformably.

LXVII. And be it enacted, That whenever by any judgment or order of the said court any decision or order of any revising barrister shall be reversed or altered, so as to require any alteration or correction of the register of voters for any county, or for any city or borough, notice of the said judgment or order of the said court shall be forthwith given by the said court to the sheriff or returning officer, as the case may be, having the custody of such register, and the said notice shall be in writing under the hand of one of the masters of the said court, and shall specify exactly every alteration or correction to be made, in pursuance of the said judgment or order, in the said register; and such sheriff or returning officer respectively shall, upon the receipt of the said notice, alter or correct the said register accordingly, and shall sign his name against every such alteration or correction in the said register, and shall safely keep and hand over to his successors every such notice received by him from the said court as aforesaid, together with the said register.

Copies of decisions on appeals to be admissible in evidence.

LXVIII. And be it enacted, That a copy of any order or decision of the said court, such copy pur-

porting to be signed by one of the masters of the said court, shall be sufficient evidence in all cases, without proof of the signature of the said master, and shall have the like force and effect as any entry made in any list or register of voters under this or the said recited act.

LXIX. And be it enacted, That no right of voting at any election of a member or members to serve in parliament shall be affected by any appeal pending in the said court at the time of the issuing of the writ for such election, but it shall be lawful for every person to exercise the right of voting at such election as effectually, and every vote tendered thereat shall be as good, as if no such appeal were pending; and that the subsequent decision of any appeal which shall be pending in the said court at the time of the issuing of the writ for any such election shall not in any way whatsoever alter or affect the poll taken at such election, nor the return made thereat by the returning officer.

Appeal pending not to affect right of voting.

No decision after election to affect the result of such election.

LXX. And be it enacted, That it shall be lawful for the said court to make such order respecting the payment of the costs of any appeal, or of any part of such costs, as to the said court shall seem meet: Provided always, that it shall not be lawful for the said court in any case to make any order for costs against or in favour of any respondent or person named as respondent as aforesaid, unless he shall appear before the said court in support of the decision of the revising barrister in question.

Court of appeal may give costs.

LXXI. And be it enacted, That in case any sum of money by the order of any revising barrister as aforesaid directed to be paid by any person by way of fine or for costs, shall not be paid according to the terms of such order, it shall be lawful for any justice of the

Costs and fines to be recovered by distress, and sale of the parties goods.

peace and he is hereby required, upon proof before him that a true copy of the said order hath been served upon or left at the usual place of abode of the person in the said order directed to pay such sum, and that the said sum hath been demanded of such person, and that he hath refused or neglected to pay the same, by warrant under his hand and seal to order the said sum of money, together with the costs of and attending the said warrant, to be levied by distress and sale of the goods and chattels of such person so making default which may be found within the jurisdiction of the said justice; and the overplus, if any, after the said sum of money and costs, and the charges of such distress and sale, are deducted, shall be returned, upon demand, to the owner of the said goods and chattels: Provided always, that no certiorari or other writ or process for the removal of any such order or warrant, or of any order or warrant to be made or issued on account of a false charge of personation in the manner hereinafter provided, or any proceeding thereon respectively, into any of Her Majesty's courts at *Westminster*, shall be allowed or granted.

3 G. 3, c. 24,
repealed.

LXXII. And whereas doubts have arisen whether the provisions of an Act passed in the third year of the reign of His Majesty King *George the Third*, intituled *An Act to prevent fraudulent and occasional votes in elections of knights of the shire, and of members for cities and towns which are counties of themselves, so far as relates to the right of voting by virtue of an annuity or rentcharge*, are still in force: and whereas the provisions of the said Act have become unnecessary; be it therefore enacted, That the said Act shall be and the same is hereby repealed.

Right of voting
in counties by
occupiers of not
less than 50/-

LXXIII. And whereas by the said first-recited Act it is enacted, that "every male person of full age, and not subject to any legal incapacity, who shall

occupy as tenant any lands or tenements for which he shall be *bond fide* liable to a yearly rent of not less than fifty pounds, shall be entitled to vote in the election of a knight or knights of the shire to serve in any future parliament for the county, or for the riding, parts or division of the county in which such lands or tenements shall be respectively situate;" and whereas it is also thereby enacted, that "no person shall be so registered in any year in respect of any lands and tenements held by him as such occupier and tenant as aforesaid unless he shall have been in the actual possession thereof for twelve calendar months next previous to the last day of *July* in such year;" be it declared and enacted, That the lands and tenements in respect of the occupation of which at a yearly rent of not less than fifty pounds any person shall be so entitled to be registered in any year, and to vote in the election of a knight or knights of the shire as aforesaid, shall not be required to be the same lands and tenements, but may be different lands and tenements, rented and occupied as aforesaid in immediate succession by such person during the twelve calendar months next previous to the last day of *July* in such year; and that where any such lands and tenements shall be jointly rented and occupied by more persons than one, each of such joint occupiers shall be entitled to be registered and vote in such election as last aforesaid in respect of the lands and tenements so jointly rented and occupied, in case the yearly rent for which they shall be *bond fide* liable in respect of such lands and tenements shall be of an amount which, when divided by the number of such occupiers, shall give a *bond fide* rent of not less than fifty pounds for each and every such occupier, but not otherwise.

successive occupation.
Joint occupiers may vote.

LXXIV. And whereas by the said first-recited Act Provision as to it is enacted, "that no person shall be allowed to have ^{trust and mort. gage estates.} any vote in the election of a knight or knights of the

shire, for or by reason of any trust estate or mortgage, unless such trustee or mortgagee be in actual possession or receipt of the rents and profits of the same estate, but that the mortgagor or cestuique trust in possession shall and may vote for the same, notwithstanding such mortgage or trust;" and whereas it is also thereby enacted, "that no person shall be registered in any year in respect of his estate or interest in any lands or tenements as freeholder, copyholder, customary tenant, or tenant in ancient demesne, unless he shall be in actual possession or in receipt of the rents and profits thereof to his own use for six calendar months at least previous to the last day of *July* in such year;" and whereas doubts have arisen as to the true intent and meaning of the said first-mentioned enactment in certain cases; be it therefore declared and enacted, That no mortgagee of any lands or tenements shall have any vote in the election of a knight or knights of the shire, or in the election of a member or members to serve in any future parliament for any city or borough in which freeholders now have a right to vote, for or by reason of any mortgage estate therein, unless he be in the actual possession or receipt of the rents and profits thereof, but that the mortgagor in actual possession or in receipt of the rents and profits thereof shall and may vote for the same, notwithstanding such mortgage; and that no trustee of any lands or tenements shall in any case have a right to vote in any such election for or by reason of any trust estate therein, but that the cestuique trust in actual possession or in the receipt of the rents and profits thereof, though he may receive the same through the hands of the trustee, shall and may vote for the same, notwithstanding such trust.

Right of voting in boroughs by occupiers of houses, &c. of LXXV. And whereas by the said first-recited Act it is enacted, That in every city or borough which shall return a member or members to serve in any future

parliament, every male person of full age, and not ^{the annual value of 10l.} subject to any legal incapacity, who shall occupy within such city or borough, or within any place sharing in the election for such city or borough, as owner or tenant, any house, warehouse, counting-house, shop, or other building, being, either separately or jointly with any land within such city, borough, or place, occupied therewith by him as owner, or occupied therewith by him as tenant under the same landlord, of the clear yearly value of not less than ten pounds, shall, if duly registered according to the provisions herein-after contained, be entitled to vote in the election of a member or members to serve in any future parliament for such city or borough; and it is also provided, that no such person shall be so registered in any year unless he shall have occupied such premises as aforesaid for twelve calendar months next previous to the last day of *July* in such year, nor unless such person, where such premises are situate in any parish or township in which there shall be a rate for the relief of the poor, shall have been rated in respect of such premises to all rates for the relief of the poor in such parish or township made during the time of such his occupation so required as aforesaid, nor unless such person shall have paid on or before the twentieth day of *July* in such year all the poor's rates and assessed taxes which shall have become payable from him in respect of such premises previously to the sixth day of *April* then next preceding; and whereas doubts have arisen how far any misnomer or inaccurate or insufficient description in a rate of the person occupying any such premises as in the said recited Act are mentioned, or any inaccurate description of the premises so occupied, has the effect of preventing any such person from being registered and entitled to vote in respect of such premises in any year; be it therefore declared and enacted, ^{Not to vote unless rated to the poor rate.} That where any person shall have occupied such premises as in the said recited Act are mentioned for ^{Inaccurate description in rate not to prevent persons being registered.}

twelve calendar months next previous to the last day of *July* in any year, and such person being the person liable to be rated for such premises shall have been *bond fide* called upon to pay in respect of such premises all rates made for the relief of the poor in such parish or township during the time of such his occupation so required as aforesaid, and such person shall have *bond fide* paid, on or before the twentieth day of *July* in such year, all sums of money which he shall have been called upon to pay as rates in respect of such premises for one year previously to the sixth day of *April* then next preceding, such person shall be considered as having been rated and paid all rates in respect of such premises within the meaning of the said recited Act, and be entitled to be registered in respect of the same in any year, any misnomer or inaccurate or insufficient description in any rate of the person so occupying or of the premises occupied notwithstanding.

How distances to be measured.

LXXVI. And whereas doubts have arisen as to the measurement of the distance of seven statute miles in the said first-recited Act mentioned and therein prescribed, as to the residence of voters for any city or borough; be it therefore declared and enacted, That the said distance shall be understood to be the distance of seven miles as measured in a straight line on the horizontal plane from the point within any city or borough or place sharing in the election therewith from which such distance is to be measured, according to the directions in that behalf in the said Act: Provided always, that in cases where there is now or shall hereafter be a map of any city or borough, and of the country surrounding the same, drawn or published under the authority and direction of the principal officers of her Majesty's ordnance, such distance may be measured and determined by the said map.

Freeholders in

LXXVII. And whereas doubts have arisen whether,

in order to entitle any person to vote for the borough of *New Shoreham*, or of *Cricklade*, *Aylesbury*, or *East Retford*, respectively, in respect of any freehold mes-
suages, lands, or tenements therein situate, it is neces-
sary that the same should be assessed to the land tax ;
be it therefore declared and enacted, That in order to
entitle any person to vote in any election of members
to serve in parliament in respect of any freehold mes-
suages, lands, or tenements situate within the borough
of *New Shoreham*, *Cricklade*, *Aylesbury*, or *East
Retford* respectively it shall not be necessary that the
same shall be assessed to the land tax, any statute to
the contrary notwithstanding.

New Shoreham,
Cricklade, &c.,
need not be
assessed to land
tax.

LXXVIII. And whereas by the said first-recited Act it is enacted and provided, That every person then having a right to vote in the election for any city or borough in virtue of any other qualification than as a burgess or freeman, or as a freeman and liveryman, or as a freeholder or burgage tenant, as therein mentioned, shall retain such right of voting so long as he shall be qualified as an elector, according to the usages and customs of such city or borough, or any law then in force, and that such person shall be entitled to vote in the election of a member or members to serve in parliament for such city or borough, if duly registered according to the provisions in the said Act in that behalf contained ; and it is thereby further provided, nevertheless, that every such person shall for ever cease to enjoy such right of voting for any such city or borough as aforesaid if his name shall have been omitted from the register of such voters under certain circumstances therein and hereinafter specified : and whereas doubts have arisen as to the intent and meaning of the words the "register of such voters" in such last-mentioned provision ; be it therefore declared and enacted, That every such person shall for ever cease to enjoy such right of voting in virtue of any

When certain
rights of voting
in boroughs are
retained.

other qualification than as a burgess or freeman, or as a freeman and liveryman, or as a freeholder or burgage tenant as aforesaid, if his name shall for two successive years not have been inserted or appear in the register of voters for such city or borough in respect of such other qualification (notwithstanding the name of such person may appear in such register for both or either of the same two successive years in respect of some qualification of a different nature), unless the name of such person in any such year shall not have been inserted as aforesaid or have been omitted by reason or in consequence of his having received parochial relief within twelve calendar months next previous to the last day of *July* in the same year, or by reason or in consequence of his absence on the naval and military service of Her Majesty.

Register to be conclusive evidence of the voter's retaining the same qualification.

Proviso.

In cities and boroughs, a continued residence required to the time of polling.

LXXXIX. And be it enacted, That at every future election for a member or members to serve in parliament for any county, city, or borough, the register of voters so made as aforesaid shall be deemed and taken to be conclusive evidence that the persons therein named continue to have the qualifications which are annexed to their names respectively in the register in force at such election: Provided always, that it shall not be lawful for any person to vote at any election for a member or members for any county where the qualification annexed to the name of such person shall have appeared annexed to his name in the preceding register, and such person, on the last day of *July* in the year in which such register so in force was formed, shall have ceased to have such qualification, or shall not have retained so much thereof as would have entitled him to have had his name inserted in such register: Provided also, that no person shall be entitled to vote at any future election for a member or members to serve in parliament for any city or borough, unless he shall, ever since the thirty-first day of *July* in the

year in which his name was inserted in the register of voters then in force, have resided and at the time of voting shall continue to reside within the city or borough, or place sharing in the election for the city or borough, in the election for which he shall claim to be entitled to vote, or within the distance thereof required by the said recited act to entitle such person to be registered in any year.

LXXX. And whereas by the said first-recited Act Clause as to putting questions at the poll repealed. it is enacted, that certain questions might be put to every voter at the time of his tendering his vote in any election: and whereas it is expedient that all the provisions contained in the said recited Act touching and concerning the said questions, and administering and taking of any oath at the time of polling, should be repealed, and other provisions be enacted in lieu thereof; be it therefore enacted, That the said provisions shall be and the same are hereby repealed.

LXXXI. And be it enacted, That in all elections whatever of a member or members to serve in parliament for any county, riding, parts or division of a county, or for any city or borough in *England* or *Wales*, or the town of *Berwick-upon-Tweed*, no inquiry shall be permitted at the time of polling as to the right of any person to vote, except only as follows; (that is to say,) that the returning officer or his respective deputy shall, if required on behalf of any candidate, put to any voter at the time of his tendering his vote, and not afterwards, the following questions, or either of them:

1. Are you the same person whose name appears as *A. B.* on the register of voters now in force for the county of [or for the riding, parts, or division of the county of], or for the city [or borough] [as the case may be]?

appointed by
candidates to
detect person-
ation at the time
of polling.

the personation of voters at elections, be it enacted, That it shall be lawful for any candidate, at any election of a member or members to serve in parliament for any county, city, or borough, previous to the time fixed for taking the poll at such election, to nominate and appoint an agent or agents on his behalf to attend at each or any of the booths appointed for taking the poll at such election, for the purpose of detecting personation; and such candidate shall give notice in writing to the returning officer, or his respective deputy, of the name and address of the person or persons so appointed by him to act as agents for such purpose; and thereupon it shall be lawful for every such agent to attend during the time of polling at the booth or booths for which he shall have been so appointed.

Returning offi-
cer may order
persons charged
with person-
ation to be taken
into custody.

LXXXVI. And be it enacted, That if at the time any person tenders his vote at such election, or after he has voted, and before he leaves the polling booth, any such agent so appointed as aforesaid shall declare to the returning officer, or his respective deputy, presiding therein, that he verily believes, and undertakes to prove, that the said person so voting is not in fact the person in whose name he assumes to vote, or to the like effect, then and in every such case it shall be lawful for the said returning officer, or his said deputy, and he is hereby required, immediately after such person shall have voted, by word of mouth to order any constable or other peace officer to take the said person so voting into his custody, which said order shall be a sufficient warrant and authority to the said constable or peace officer for so doing: Provided always, that nothing herein contained shall be construed or taken to authorise any returning officer, or his deputy, to reject the vote of any person who shall answer in the affirmative the questions authorised by this Act to be put to him at the time of polling, and shall take the

Vote not to be
rejected if ques-
tions answered
in the affirma-
tive.

oaths or make the affirmations authorised and required of him ; but the said returning officer, or his deputy, shall cause the words, " protested against for personation," to be placed against the vote of the person so charged with personation when entered in the poll book.

LXXXVII. And be it enacted, That every such constable or peace officer shall take the person so in his custody, at the earliest convenient time, before some two justices of the peace acting in and for the county, city, or borough within which the said person shall have so voted as aforesaid : Provided always, that in case the attendance of two such justices as aforesaid cannot be procured within the space of three hours after the close of the poll on the same day on which such person shall have been so taken into custody, it shall be lawful for the said constable or peace officer, and he is hereby required, at the request of such person so in his custody, to take him before any one justice of the peace acting as aforesaid, and such justice is hereby authorised and required to liberate such person on his entering into a recognizance with one sufficient surety, conditioned to appear before any two such justices as aforesaid, at a time and place to be specified in such recognizance, to answer the said charge ; and if no such justice shall be found within four hours after the closing of the said poll then such person shall forthwith be discharged from custody : Provided also, that if in consequence of the absence of such justices as aforesaid, or for any other cause, the said charge cannot be inquired into within the time aforesaid, it shall be lawful nevertheless for any two such justices as aforesaid to inquire into the same on the next or on some other subsequent day, and, if necessary, to issue their warrant for the apprehension of the person so charged,

Persons charged with personation to be taken before two justices.

Bail to be taken in certain cases.

LXXXVIII. And be it enacted, That if on the If justices are

satisfied that the person charged has been guilty of personation, they are to commit him for trial.

hearing of the said charge the said two justices shall be satisfied, upon the evidence on oath of not less than two credible witnesses, that the said person so brought before them has knowingly personated and falsely assumed to vote in the name of some other person within the meaning of this Act, and is not in fact the person in whose name he voted, then it shall be lawful for the said two justices to commit the said offender to the gaol of the county, city, or borough within which the offence was committed, to take his trial according to law, and to bind over the witnesses in their respective recognizances to appear and give evidence on such trial as in the case of other misdemeanors.

If justices are satisfied that the charge is unfounded, they are to order compensation.

LXXXIX. And be it enacted, That if the said justices shall on the hearing of the said charge be satisfied that the said person so charged with personation is really and in truth the person in whose name he voted, and that the charge of personation has been made against him without reasonable or just cause, or if the agent so declaring as aforesaid, or some one on his behalf, shall not appear to support such charge before the said justices, then it shall be lawful for the said justices and they are hereby required to make an order in writing under their hands, on the said agent so declaring as aforesaid, to pay to the said person so falsely charged, if he shall consent to accept the same, any sum not exceeding the sum of ten pounds nor less than five pounds, by way of damages and costs; and if the said sum shall not be paid within twenty-four hours after such order shall have been made, then the same shall be levied, by warrant under the hand and seal of any justice of the peace acting as aforesaid, by distress and sale of the goods and chattels of the said agent; and in case no sufficient goods or chattels of the said agent can be found on which such levy can be made, then the same shall be levied in like manner

on the goods and chattels of the candidate by whom such agent was so appointed to act; and in case the said sum shall not be paid or levied in the manner aforesaid, then it shall be lawful for the said person to whom the said sum of money was so ordered to be paid to recover the same from the said agent or candidate, with full costs of suit, in an action of debt to be brought in any one of Her Majesty's superior courts of record at *Westminster*: Provided always, that if the person so falsely charged shall have declared to the said justices his consent to accept such sum as aforesaid by way of damages and costs, and if the whole amount of the sum so ordered to be paid shall have been paid or tendered to such person, in every such case, but not otherwise, the said agent, candidate, and every other person shall be released from all actions or other proceedings, civil or criminal, for or in respect of the said charge and apprehension.

XC. And be it enacted, That it shall and may be lawful for the high sheriff of any county, and for the officers to promotor or returning officer of any city or borough, vide constables, and he and they are hereby required, for the purposes aforesaid, to provide a sufficient attendance of constables or peace officers in each booth at the different polling places within their respective counties, cities, or boroughs.

XCI. And be it enacted, That in case the vote of any person shall have been received, and any other vote has been received and tendered in respect of the same qualification, stating at the time the name or names of the candidate or candidates for whom he tenders such vote, the returning officer, or his deputy, shall enter upon the poll book every vote so tendered, distinguishing the same from the votes admitted and allowed at such election; provided such person shall duly answer the questions

hereinbefore authorised to be put to any voter at the time of tendering his vote.

**Liverymen of
London to poll
in the Guildhall.**

XCII. And be it enacted, That in the city of *London* the returning officer or officers shall take the poll or votes of such freemen of the said city, being liverymen of the several companies, as are entitled to vote at such election, in the guildhall of the said city, and shall not be required to provide for them any booth or compartment, but shall take one poll for the whole number of such liverymen at the same place.

**For providing
for the safe
custody of poll
books.**

XCIII. And whereas it is enacted by the said first-recited Act, that at every contested election for any county, riding, or division of a county, city, or borough in *England*, except the borough of *Monmouth*, the sheriff, undersheriff, or returning officer should, on the day therein mentioned, after the close of the poll, openly break the seals on the several poll books, and cast up the number of votes as they appear on the said several books, and openly declare the state of the poll, and make proclamation of the member or members chosen, not later than the time therein mentioned: and whereas no adequate provision has been made for the safe custody and production of the said poll books subsequent to such declaration of the poll and proclamation of the members chosen at any contested election, in consequence whereof great mischief and expense have arisen in cases of disputed returns of members to serve in parliament; be it therefore enacted, That at every contested election of a member or members to serve in parliament for any county, riding, parts, or division of a county, or for any city or borough in *England* or *Wales*, or for the town of *Berwick-upon-Tweed*, the sheriff, undersheriff, or returning officer, after having declared the state of the poll, and made proclamation of the member or members chosen to serve in parliament in the manner

provided for by the said hereinbefore in part recited Act, shall forthwith enclose and seal up the several poll books, and tender the same to each of the candidates, to be sealed by them respectively; and in case any candidates shall neglect or refuse to seal the same, the sheriff, undersheriff, or returning officer shall thereupon indorse on one of the said poll books the fact of such neglect or refusal; and every such sheriff, undersheriff, or other returning officer shall, by himself or his agent, as soon as possible after such proclamation as aforesaid, deliver the same poll books, so sealed as aforesaid, to the clerk of the crown in the high court of Chancery, or his deputy, or deliver the same, directed to the said clerk of the crown, to the postmaster or deputy postmaster of the city, town, or place wherein such proclamation shall have been made as aforesaid, who on receipt thereof shall give an acknowledgment in writing of such receipt to such sheriff, undersheriff, or returning officer, expressing therein the time of such delivery, and shall keep a duplicate of such acknowledgment, signed by such sheriff, undersheriff, or returning officer; and the said postmaster or deputy postmaster shall despatch all such books so sealed and directed as aforesaid, by the first post or mail after the receipt thereof, to the general post office in *London*; and the postmaster or postmasters general are hereby directed, immediately on receipt of such poll books, to convey the same to the crown office, and to deliver the same there, so sealed as aforesaid, to the clerk of the crown or his deputy; and the said clerk of the crown or his deputy is hereby required to give to such postmaster or postmasters general, sheriff, undersheriff, returning officer, or agent delivering the same, a memorandum in writing, acknowledging the receipt of such poll books, and setting forth the day and hour when the same were delivered at the crown office; and the said clerk of the crown or his deputy is hereby required, immedi-

ately on receipt of such poll books, to register the same in the books of the said crown office, and to indorse thereon the day and hour upon which he received the same; and every such sheriff, undersheriff, or returning officer is hereby required, at the time of transmitting such poll books as aforesaid through the post office, to address and forward a letter by the same post or mail to the said clerk of the crown, informing him of such transmission, and giving the number and description of such poll books so transmitted.

Office copies of poll books to be received in evidence in courts.

XCIV. And be it enacted, That office copies, issued by the said clerk of the crown or his deputy, of such poll books, shall be taken in evidence in all courts of law, in actions for bribery or personation, or for any other purpose whatsoever.

Clerk of the crown to preserve poll books, and deliver office copies if required;

XCV. And be it enacted, That the said clerk of the crown shall keep and preserve the said several poll books, and shall deliver to any party applying for the same an office copy of all or any part of such poll books, on payment of a reasonable charge for writing the same, and shall also permit any party to inspect such poll books.

and to produce them before election committee, if required.

XCVI. And be it enacted, That the said clerk of the crown shall, upon receiving a warrant, signed by the chairman of any committee of the House of Commons appointed for the trial of controverted elections, produce, by himself or his agent, before such committee, the said several books so deposited with him as aforesaid, and such production shall be sufficient *prima facie* proof of the authenticity of the said poll books.

Parties wilfully contravening the Act liable to an action for debt.

XCVII. And be it enacted, That every sheriff, undersheriff, clerk of the peace, town clerk, secondary, returning officer, clerk of the crown, postmaster, over-

seer, or other person, or public officer, required by this Act to do any matter or thing, shall for every wilful misfeasance, or wilful act of commission or omission contrary to this Act, forfeit to any party aggrieved the penal sum of one hundred pounds, or such less sum as the jury before whom may be tried any action to be brought for the recovery of the beforementioned sum shall consider just to be paid to such party, to be recovered by such party, with full costs of suit, by action for debt in any of Her Majesty's superior courts at *Westminster*: Provided always, that nothing herein contained shall be construed to supersede any remedy or action against any returning officer according to any law now in force.

XCVIII. And whereas in and by the said first-
recited Act it is provided that upon petition to the
House of Commons, complaining of an undue election
or return of any member or members to serve in par-
liament, any petitioner, or any person defending such
election or return, shall be at liberty to impeach the
correctness of the register of voters in force at the
time of such election, by proving that in consequence
of the decision of the barrister who shall have revised
the lists of voters from which such register shall have
been formed the name of any person who voted at
such election was improperly inserted or retained in
such register, or the name of any person who tendered
his vote at such election improperly omitted from
such register, and the select committee appointed for
the trial of such petition shall alter the poll taken at
such election according to the truth of the case, and
shall report their determination thereupon to the
House, and the House shall thereupon carry such
determination into effect, and the return shall be
amended or the election declared void, as the case may

Power to com-
mittees on elec-
tion petitions to
decide as to
right of voting.

be, and the register corrected accordingly, or such other order shall be made as to the House shall seem proper: and whereas doubts have arisen as to the true intent and meaning of the said enactment with respect to the power and authority of any such committee to inquire into the validity or invalidity of the vote of any person being on the register of voters in force at the time of such election; be it therefore declared and enacted, That it shall and may be lawful for any such committee to inquire into and decide upon the right to vote of any person who, being upon the register of voters in force at the time of such election, shall have voted in such election, or not being upon such register shall have tendered his vote at such election, in case the name of such person shall have been specially retained upon such register, or inserted therein, or expunged or omitted therefrom, by the express decision of the revising barrister who shall have revised the lists of voters from which such register shall have been formed; and also that it shall and may be lawful for such committee to inquire into and decide upon the right to vote of any person who, being upon such register, shall have voted in such election, so far as the same may be disputed on the ground of legal incapacity at the time of his voting under and by virtue of any statute now or hereafter to be in force, or on the ground of any other legal incapacity at the time of his voting which may have arisen subsequently to the expiration of the time allowed for making out the list of voters from which the register of voters in force at the time of such election shall have been formed; but that, except in such cases or on such grounds as aforesaid, the register of voters in force at the time of such election shall, so far as regards the proceedings before such committee, be final and conclusive to all intents and purposes as to the right to vote in such

election of every person who shall be upon such register.

XCIX. And whereas it may happen that on the receipt of any writ by any sheriff or sheriffs for an election of a member or members to serve in parliament for any city or borough the situation of returning officer may be vacant; be it enacted, That in such case it shall be lawful for the sheriff or sheriffs whose business it may be to direct the precept for the return of a member or members to serve in parliament for any such city or borough, by himself or themselves, or by his or their deputy, to act as returning officer for such city or borough.

C. And be it enacted, That it shall be sufficient, in every case of notice to any person objected to in any list of county, city, or borough voters, and in the livery list of the city of *London*, and also in the case of county voters to the occupying tenant whose name and place of abode appears in such respective list as aforesaid, if the notice so required to be given as aforesaid shall be sent by the post, free of postage, or the sum chargeable as *postage* for the same being first paid, directed to the person to whom the same shall be sent, at his place of abode as described in the said list of voters; and whenever any person shall be desirous of sending any such notice of objection by the post, he shall deliver the same, duly directed, open and in duplicate, to the postmaster of any post office where money orders are received or paid, within such hours as shall have been previously given notice of at such post office, and under such regulations with respect to the registration of such letters, and the fee to be paid for such registration (which fee shall in no case exceed two-pence over and above the ordinary rate of postage), as shall from time to time be made by the postmaster general in that behalf; and in all

Notice of objection may be sent by the post.

cases in which such fee shall have been duly paid the postmaster shall compare the said notice and the duplicate, and, on being satisfied that they are alike in their address and in their contents, shall forward one of them to its address by the post, and shall return the other to the party bringing the same, duly stamped with the stamp of the said post office; and the production by the party who posted such notice of such stamped duplicate shall be evidence of the notice having been given to the person at the place mentioned in such duplicate on the day on which such notice would in the ordinary course of post have been delivered to such place: Provided also, that if no place of abode of the person objected to shall be described in the said list, or if such place of abode shall be situate out of the United Kingdom, then it shall be sufficient if notice shall be given to the said overseers, and to such occupying tenant as aforesaid (if any) in the case of a county voter, or, in the case of a city or borough voter, to the overseers or to the town clerk, or, in the case of a liveryman of the city of *London*, to the secondaries and clerk of the particular company to which the person objected to shall belong, as is in each of the said cases hereinbefore required.

Interpretation clause.

Meaning of the word "county":

"city or borough":

Cl. And be it enacted, That throughout this Act, in the construction thereof, except there be something in the subject or context inconsistent with or repugnant to such construction, the word "county" shall extend to and mean any county, riding, parts or division of a county, respectively returning a knight or knights of the shire to serve in parliament; and the words "city or borough" shall extend to and mean any city, borough, town corporate, cinque port, district, or place within *England* and *Wales* returning a member or members to serve in parliament, other than counties at large, and ridings, parts, and divisions of counties at large, and to every place sharing

in the election of a member for any city or borough, and shall also include the town of *Berwick-upon-Tweed*; that the words "clerk of the peace" shall "clerk of the peace;" comprehend and apply to any deputy or other person executing the duties of such clerk of the peace; and the words "town clerk" shall, except in regard to the "town clerk:" cities of *London* and *Westminster* and the borough of *Southwark*, extend to and mean any person executing the duties of town clerk, or if in any city or borough there shall be no such officer as town clerk, then to any officer executing the same or like duties as usually devolve upon the town clerk, or if in any city or borough there be no such person, then to the returning officer of such city or borough, or to such person as the returning officer may appoint for that purpose, which he is hereby authorised to do; and the words "barrister" or "barristers" shall respectively be "barrister:" taken to include a serjeant or serjeants-at-law; and the words "returning officer" shall apply to every "returning officer:" person or persons to whom by virtue of his or their office, under any law, custom, or statute, the execution of any writ or precept doth or shall belong for the election of a member or members to serve in parliament, by whatever name or title such person or persons may be called; and the words "parish or "parish or township" shall extend to and mean every parish, township, village, hamlet, district or place maintaining its own poor; and the words "overseers" or "overseers of the poor" shall extend to and mean all persons who by virtue of any office or appointment shall execute the duties of overseers of the poor, by whatever name or title such persons may be called, and in whatsoever manner they may be appointed, and that all matters by this Act directed to be done by the overseers of a parish or township may be lawfully done by the major part of such overseers; and that wherever any notice is by this Act required to be given or sent to the overseers of any parish or township, it

Provision as to
service of
notices.

shall be sufficient if such notice shall be delivered to any one of such overseers, or shall be left at his place of abode, or at his office or other place for transacting parochial business, or shall be sent by the post free of postage, or the postage thereof being first paid, addressed to the overseers of the particular parish or township, naming the parish or township, and the county, city, or borough respectively, to which the notice to be so sent may relate, without adding any place of abode of such overseers; and that wherever by this Act any notice is required to be given or sent to any person or persons whatsoever, or public officer, it shall be sufficient if such notice be sent by the post in the manner and subject to the regulations herein-before provided with respect to sending notices of objection by the post, free of postage, or the postage thereof being first paid, addressed with a sufficient direction to the person or persons to whom the same ought to be given or sent, at his or their usual place of abode; and that all provisions in this Act relative to any matters to be done by or with regard to justices of the peace for counties, or sessions of the peace for counties, or clerks of the peace for counties, or treasurers of counties, shall extend to the justices, sessions, clerks of the peace, and treasurers of the several ridings of *Yorkshire* and parts of *Lincolnshire*; and that the town clerk for the time being for the borough of *Newport* in the *Isle of Wight* shall for the purposes of this Act be deemed and taken to be the clerk of the peace for the county of the *Isle of Wight*; and that all the said respective justices, sessions, and clerks of the peace shall have power to do the several matters required by this Act, as well within places of exclusive jurisdiction as without; and that no misnomer or inaccurate description of any person, place, or thing named or described in any schedule to this Act annexed, or in any list or register of voters, or in any notice required by this Act, shall in anywise pre-

Justices,
sessions, clerks
of the peace,
and treasurers
of counties.

Misnomer not
to vitiate.

vent or abridge the operation of this Act with respect to such person, place, or thing, provided that such person, place, or thing shall be so denominated in such schedule, list, register, or notice as to be commonly understood; and that the word "oath" shall include "Oath," affirmation, where by law such affirmation is required or allowed to be taken in place of an oath; and where Singular. the subject or context requires it, every word importing the singular number only shall extend and be applied to several persons or things as well as one person or thing; and every word importing the plural number Plural. shall extend and be applied to one person or thing as well as several persons or things.

CII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present session of parliament.

SCHEDULES TO WHICH THIS ACT REFERS.

SCHEDULE (A).

Schedule (A.)

FORMS FOR COUNTIES.

No. 1

PRECEPT OF THE CLERK OF THE PEACE TO THE
OVERSEERS (a).

In pursuance of the provisions of the Act of parliament of — Victoria, c. —, I require your attention to the following instructions :—

(a) See the observations on this form in the Introduction.

Schedule (A.)

On or before the twentieth day of June you are to publish a notice, signed by you, according to the form marked No. 2, among the printed forms herewith sent.

The manner in which you are required to publish that notice is as follows; (that is to say,) you are to fix one of the printed copies (each copy being first signed by you) on or near the outside of the outer door or of the outer wall near the door of every church and public chapel in your parish or township, including chapels which do not belong to the established church, or if there should be no such church or chapel, then in some public or conspicuous situation in your parish [or township], and it must remain there during a period including two Sundays at least.

On or before the last day of July you are to make out an alphabetical list of all persons who, on or before the twentieth day of July, shall have delivered or sent to you their claims as voters for the county [riding, &c.] in which your parish [or township] lies, in respect of any property situate wholly or in part within your parish [or township]; and in making out such list you are to write or cause to be written, in the proper column of the printed form of list (herewith sent) numbered 3, the christian name and surname of every such person, with the place of his abode, the nature of his qualification, and the local or other description of the property, and the name of the occupier, accordingly as the same shall be stated in the claim. If you have reasonable cause to believe that any person so claiming, or any person whose name shall appear in the copy of the register for your parish [or township] herewith sent, is not entitled to have his name on the new register about to be made, you are to add the word "objected" before his name in the margin of the copy of the register or list in which his

name appears; and you are also to add the word Schedule (A.)
"dead" before the name of any person whom you
shall have reasonable cause to believe to be dead.
Having done this, you are to sign the list of claimants,
and also the copy of the register herewith sent, and to
cause a sufficient number of copies of such register and
lists with your marginal additions to be written or
printed, and then, on or before the first day of August,
you are to publish the said lists on every church and
chapel in your parish [or township] in the same man-
ner as before mentioned with regard to the notice.

You are to keep a copy of the list of claimants and
of the said register sent to you, with your marginal
additions thereon, signed by you, and to allow them
to be perused by every person desirous of perusing
them, at any time between the hours of ten of the
clock in the forenoon and four of the clock in the
afternoon of any day, except Sunday, during the first
fourteen days after you have published them, without
payment or demand of any fee; and you are also to
deliver copies of the list of claimants and of the said
register, signed by you, to every person applying for
the same, on payment of a price for such copy after
the rate contained in the table marked Schedule (D.)
No. 1, herewith sent.

You are to make out a list, according to the form
numbered 6, (herewith sent), containing the name of
every person against whom a notice of objection shall
have been given to you or any one of you, on or be-
fore the twenty-fifth day of August; and you are to
publish copies of such lists on or before the first day
of September on every church and chapel in your
parish or township, in the same manner as before-
mentioned with regard to the notice; and you are to
keep a copy of such list of persons objected to, to be
perused by any person, without payment or fee, at any

Schedule (A.) time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day, except Sunday, during the first fourteen days of September, both inclusive; and you are to deliver a copy of such list to any person requiring the same, on payment of a price for such copy after the rate contained in the table marked schedule (D.) No. 1, herewith sent.

And if you shall find any such notice, list, register, or other document published by you as aforesaid to be destroyed, mutilated, defaced, or removed, you are forthwith to place another to the same effect in its place.

On or before the twenty-ninth day of August you are to deliver to the clerk of the peace of the county [riding, &c.] wherein your parish [or township] is situate, the list of claimants, the copy of the part of the register (herewith sent); and also a copy of the list of persons objected to, signed by you.

You are to attend the court to be holden by the barrister appointed to revise the lists relating to your parish [or township], of the time and place of holding which notice will be sent to you; and you are there to deliver to the barrister holding such court the original notices of claim and original notices of objection given to you as aforesaid.

Herein if you fail you will be liable to the penalties in that case provided. Given under my hand this _____ day of _____

Clerk of the Peace for the County of _____.

No. 2.

NOTICE TO BE GIVEN BY THE OVERSEERS.

We hereby give notice, That all persons entitled to vote in the election of a knight or knights of the shire for the county [or for the riding, &c.] of — in respect of any property situate wholly or in part within this parish [or township], who are not upon the register of voters now in force, or who, being upon the register, shall not retain the same qualification or continue in the same place of abode as described in such register, and who are desirous to have their names inserted in the register of voters about to be made for the said county [or riding, &c.] are hereby required to give or send to us or any of us, on or before the twentieth day of July in this year, a notice in writing by them signed, in which their name and surname at full length, their place of abode, and the particulars of their qualification, must be legibly written, according to the form hereunder set forth. Any person who is upon the present register may also make his claim, if he thinks fit; but it is not necessary that he should do so if he has the same qualification and place of abode now described in the register.

Dated this — day of June in the year —.

(Signed) A. B. }
 C. D. } *Overseers of the parish*
 E. F. } [or township] of —.

Schedule (A.)

FORM OF NOTICE OF CLAIM TO BE GIVEN TO
OVERSEERS.

To the Overseers of the parish of _____ [or township of _____].

I hereby give you notice, that I claim to be inserted in the list of voters for the county of _____ [or for the _____ riding, parts, or division of the county of _____, as the case may be], and that the particulars of my place of abode and qualification are stated in the columns below.

Dated the _____ day of _____ in the year

(Signed) G. H.

Christian Name and Surname of the Claimant at full length.	Place of Abode.	Nature of Qualification.	Street, Lane, or other like Place in this Parish [or Township], and Number of House (if any), where the Property is situate, or Name of the Property, if known by any, or Name of the occupying Tenant; or if the Qualification consist of a Rent-charge, then the Names of the Owners of the Property out of which such Rent is issuing, or some of them, and the Situation of the Property.

No. 3.

County of _____ to wit, [or riding, parts, or division of the county of _____, as the case may be.]

THE LIST OF PERSONS claiming to be entitled to vote in the Election of a Knight [or Knights] of the Shire for the County of _____ [or for the _____ Riding, Parts, or Division of the County of _____, as the case may be], in respect of Property

situate in whole or in part within the Parish of Schedule (A.)
 _____ [or Township, as the case may be].

Margin for entering Overseers' Objections.	Christian Name and Surname of each Voter at full length.	Place of Abode.	Nature of Qualification.
			Street, Lane, or other like Place in this Parish [or Township], and Number of House (if any), where the Property is situate, or Name of the Property, and the Name of the Tenant; or if the Qualification consist of a Rent-charge, then the Names of the Owners of the Property out of which such Rent is issuing, or some of them, and the Situa- tion of the Property.

(Signed)

A. B.

C. D.

E. F.

} *Overseers of the said*
 } *parish [or township.]*

No. 4.

NOTICE OF OBJECTION TO BE GIVEN TO THE
 OVERSEERS.

To the Overseers of the Parish [or Township, as
 the case may be,] of _____.

I hereby give you notice, that I object to the name
 of the person mentioned and described below being
 retained in the list of voters for the county [or for the
 _____ riding, _____ parts, or _____ divi-
 sion of the county] of _____.

Christian and Surname of the Voter objected to, as described in the List or Register.	Place of Abode as described.	Nature of Qualification as described.	Street, Lane, or other like Place where the qualifying Property is situate, &c. as described in the List or Register.

Dated the _____ day of _____ in the year
 _____.

(Signed) A. B.

[Place of abode.]

Schedule (A.)

No. 5.

NOTICE OF OBJECTION TO BE GIVEN TO PARTIES
OBJECTED TO BY ANY PERSON OTHER THAN
OVERSEERS, AND TO THE OCCUPYING TENANT OF
THE QUALIFYING PROPERTY.

To Mr. _____ of _____ [here insert the name and place of abode of the person objected to as described in the list; and in the case of notice to the tenant of the qualifying property insert his name and place of abode as described in the list.]

Take notice, That I object to your name [in the notice to the tenant, instead of the words "your name," insert the name of the person objected to] being retained in the [here insert the name of the parish] list of voters for the county of _____ [or for the _____ riding, &c.]

Dated this _____ day of _____ one thousand eight hundred and _____.

(Signed) A. B. of [place of abode], on the register of voters for the parish of _____.

No. 6.

LIST OF PERSONS OBJECTED TO, TO BE PUBLISHED
BY THE OVERSEERS.

The following persons have been objected to as not being entitled to have their names retained in the list of voters for the county of _____ [or for the _____ riding, parts, or division of the county of _____].

Christian Name and Surname of each Person objected to.	Place of Abode.	Nature of the supposed Qualification.	Street, Lane, or other like Place in this Parish [or Township], and Number of House (if any), where the Property is situate, or Name of the Property, and the name of the Tenant; or if the Qualification consist of a Rent-charge, then the Names of the Owners of the Property out of which such rent is issuing, or some of them, and the Situation of the Property.

(Signed) A. B. C. D. E. F. } Overseers of the parish of _____ [or township, as the case may be].

SCHEDULE (B.)

Schedule (B.)

—
FORMS FOR CITIES AND BOROUGHS.

No. 1.

PRECEP'T OF THE TOWN CLERK TO THE OVERSEERS

City [or Borough] of _____ in the county of _____ or riding, &c. to wit. } To the overseers of the poor of the parish of _____ [or to the overseers of the poor of the township of _____].

In pursuance of the provisions of the Act of Parliament of the — Vict. c. —, require your attention to the following instructions:—

On or before the twentieth day of June you are to publish a notice, signed by you, according to the form marked No. 2, among the printed forms herewith sent,

The manner in which you are required to publish that notice is as follows; (that is to say,) you are to fix one of the printed copies (each copy being first signed by you) on or near the outside of the outer door or of the outer wall near the door of every church and public chapel in your parish [or township], including chapels which do not belong to the established church, or if there should be no such church or chapel, then in some public and conspicuous situation in your parish [or township], and it must remain there during a period including two Sundays at least.

On or before the last day of July you are to make out an alphabetical list of all persons who may be entitled to vote in the election of a member [or members] to serve in parliament for this city [or borough],

Schedule (B.) in respect of the occupation of premises of the clear yearly value of ten pounds, situate wholly or in part within your parish [or township], and another alphabetical list of all other persons (except freemen) who may be entitled to vote in the election for this city [or borough] by virtue of any other right whatsoever; and in making out each of the said lists you must write or cause to be written the christian name and surname of every such person at full length, together with the place of his abode and the nature of his qualification; and when the qualification of any person shall be in respect of any property, you must state the name of the street, lane, and number of the house, if any, or other description of the place where such property may be situate.

And on or before the first day of August you are to publish written or printed copies of the said lists, signed by you, on every church or chapel in your parish [or township], in the same manner as before mentioned with regard to the notice.

You are to keep also a copy of such lists, signed by you, to be perused by any person, without payment of any fee, at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day, except Sunday, during the first fourteen days after the said lists shall have been published.

You are to make out a list, according to the form numbered 8, containing the name of every person who shall have given or have caused to be given to you or any one of you, on or before the twenty-fifth day of August, his claim to have his name inserted in any list of your parish [or township], and also another list, according to the form numbered 12, containing the name of every person against whom a notice of objec-

tion shall have been given to you or any one of you, on or before the twenty-fifth day of August, as not being entitled to have his name retained in any list for your city [or borough] ; and on or before the first day of September you are to sign and publish each of such lists on every church or chapel in your parish [or township], in the same manner as before mentioned with regard to the notice.

You are to keep a copy of these lists, signed by you, and you are to allow the same, and also the notices of objection, to be perused by any person, without payment of any fee, at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day, except Sunday, during the first fourteen days of September, both inclusive ; and you are to deliver a copy of each of such lists to any person requiring the same, on the payment of a price for each copy after the rate contained in the table marked schedule (D.) No. 1, herewith sent.

If you shall find any such notice, list, register, or other document published by you as aforesaid to be destroyed, mutilated, effaced, or removed, you are forthwith to place another in its room to the same effect.

On or before the twenty-ninth day of August you are to deliver to me ~~a copy of the list of voters, a copy of the list of claimants, and a copy of the list of persons objected to, so respectively made out and signed by you as aforesaid.~~

You are to attend the court to be holden for the revision of the list of voters for your city [or borough], of the time of holding which notice will be given ; and at the opening of such court you are there to deliver to the barrister before whom the same shall be holden the several lists made out by you, and signed by you,

Schedule B.) and the original notices of objection and the original notice of claims given to you.

Herein if you fail you will be liable to the penalties in that case provided.

Given under my hand, this _____ day of
one thousand eight hundred _____

(Signed) A. B.

Town Clerk for the said borough.

No. 2.

NOTICE TO BE GIVEN BY THE OVERSEERS.

City [or Borough of _____ *in the* _____ *county of* _____ *to wit.* } We hereby give notice, That no person will be entitled to have his name inserted in any list of voters for this city [or borough], now about to be made, in respect of the occupation of premises of the clear yearly value of ten pounds, whether situate wholly or in part within this parish [or township], unless he shall pay, on or before the twentieth day of July, all the poor's rates and assessed taxes which have become due from him in respect of such premises during the twelve calendar months next before the sixth day of April last past; and all persons who omit to make such payments will be incapable of being upon the next register of voters for this city or borough.

Dated this _____ day of June in the year one thousand eight hundred _____

(Signed) A. B. } *Overseers of the*
C. D. } *parish [or town-*
E. F. } *ship] of _____.*

No. 3.

THE LIST of PERSONS entitled to vote in the election of a member [or members] for the city [or borough] of _____ in respect of property occupied within the parish [or township] of _____ by virtue of an Act passed in the second year of the reign of King William the Fourth, intituled "An Act to amend the representation of the people in England and Wales."

Christian Name and Surname of each Voter at full length.	Place of Abode.	Nature of Qualification.	Street, Lane, or other like Place in this Parish [or Township], and Number of House (if any), where the Property is situated.

(Signed) A. B. C. D. E. F. } Overseers of the parish [or township] of _____.

No. 4.

THE LIST of all PERSONS (not being Freemen) entitled to vote in the Election of a Member [or Members] for the City [or Borough] of _____ in respect of any Rights other than those conferred by an Act passed in the Second Year of the Reign of King William the Fourth, intituled "An Act to amend the Representation of the People in England and Wales."

Christian Name and Surname of each Voter at full Length.	Place of Abode.	Nature of Qualification.	Street, Lane, or other Place in this Parish where the Property is situate, and number of the House (if any). [When the Right of Voting depends on Property.]

(Signed) A. B. C. D. E. F. } Overseers of the parish of _____ [or township] within the city [or borough] of _____.

Schedule (B.)

No. 5.

LIST OF FREEMEN TO BE PUBLISHED BY THE
TOWN CLERK.

The List of Freemen of the City [or Borough] of _____ [or of _____], being a Place sharing in the Election with the City [or Borough] of _____ entitled to vote in the Election of a Member [or Members] for the said City [or Borough].

Christian Name and Surname of each Freeman at full Length.	Place of his Abode.

No. 6.

NOTICE OF CLAIM.

To the Overseers of the Parish [or Township] of _____.

I hereby give you Notice, That I claim to have my Name inserted in the List made by you of Persons entitled to vote in the Election of a Member [or Members] for the City [or Borough] of _____ and that the Particulars of my Qualification and Place of Abode are stated in the Columns below.

Dated the _____ Day of _____ One thousand eight hundred _____.

Christian Name and Surname of the Claimant at full Length.	Place of Abode.	Nature of Qualifi- cation.	Street, Lane, or other Place in the Parish [or Township] where the Property is situ- ate, and Number of the House (if any). [When the Right depends on Property.]

(Signed) J. D.

Schedule (B.)

.83

No. 7.

Schedule (B.)

**NOTICE OF CLAIM BY FREEMEN TO BE GIVEN TO
THE TOWN CLERK.**

To the Town Clerk of the City [or Borough] of _____.

I hereby give you Notice, That I claim to have my Name inserted in the List made by you of Persons entitled as Freemen to vote in the Election of a Member [or Members] to serve in Parliament for the City [or Borough] of _____ and that my Qualification is as Freeman of _____ and that I reside in _____ Street, in this City [or Borough, or, as the case may be]. Dated this _____ Day of _____ One thousand eight hundred and _____.

(Signed) J. D.

No. 8.

**LIST OF CLAIMANTS TO BE PUBLISHED BY THE
OVERSEERS.**

The following Persons claim to have their Names inserted in the List of Persons entitled to vote in the Election of a Member [or Members] for the City [or Borough] of _____.

Christian Name and Surname of each Claimant at full Length.	Place of Abode.	Nature of Qualification.	Street, Lane, or other Place in this Parish where the Property is situate, and Number of the House (if any). [When the Right depends on Property.]

(Signed)

A. B.
C. D.
E. F. } *Overseers of, &c.*

Schedule (B.)

No. 9.

LIST OF CLAIMANTS TO BE PUBLISHED BY THE
TOWN CLERK.

The following Persons claim to have their Names inserted in the List of the Freemen of the City [or Borough] of _____ [or of _____], being a Place sharing in the Election with the City [or Borough] of _____, entitled to vote in the Election of a Member [or Members] for the said City [or Borough].

Christian Name and Surname of each Person, as in the Claim.	Place of his Abode.

No. 10.

NOTICE OF OBJECTION.

To the Overseers of the Parish [or Township] of _____ [or to the Town Clerk of the City [or Borough] of _____ or otherwise, as the case may be].

I hereby give you Notice, That I object to the Name of _____ being retained in the List of Persons entitled to vote in the Election of a Member [or Members] for the City [or Borough] of _____.

Dated this _____ day of _____.

(Signed) A. B. of [Place of Abode], on the
List of Voters for the Parish
of _____.

Note.—If more than One List of Voters, the Notice of Objection should specify the List to which the Objection refers; and if the List contains Two or more Persons of the same Name, the Notice should distinguish the Person intended to be objected to.

No. 11.

FORM OF NOTICE OF OBJECTION TO BE GIVEN TO
PARTIES OBJECTED TO.

To Mr. _____.

I hereby give you Notice, That I object to your Name being retained on the List of Persons entitled to vote in the election of Members [or a Member] for the City [or Borough] of _____.

Dated this _____ day of _____.

(Signed) A. B. of [Place of Abode], on the
List of Voters for the Parish
of _____.

No. 12.

LIST OF PERSONS OBJECTED TO, TO BE PUBLISHED
BY THE OVERSEERS.

The following Persons have been objected to as not being entitled to have their Names retained in the List of Persons qualified to vote in the Election of a Member [or Members] for the City [or Borough] of _____.

Christian Name and Surname of each Person objected to.	Place of Abode.	Nature of the supposed Qualification.	Street, Lane, or other Place in the Parish where the Property is situate, and Number of the House (if any). [When the Right depends on Property.]

(Signed) A. B. }
C. D. }
E. F. } Overseers of, &c.

Schedule (B.)

No. 13.

THE LIST OF PERSONS OBJECTED TO, TO BE PUBLISHED BY THE TOWN CLERKS.

The following Persons have been objected to as not being entitled to have their Names retained on the List of the Freemen of the City [or Borough] of _____ [or of _____ being a Place sharing in the Election with the City [or Borough] of _____], entitled to vote in the Election of a Member [or Members] for the said City [or Borough].

Christian and Surname of each Person objected to.	Place of his Abode.

(Signed) A. B. { *Town Clerk of the said City*
 [or *Borough* or *Place*].

Schedule (C.)

SCHEDULE (C.)

FORMS FOR THE CITY OF LONDON.

No. 1.

A LIST of such of the Freemen of London as are Liverymen of the Company of _____ entitled to vote in the Election of Members for the City of London.

Christian Name and Surname of the Voter at full Length.	Street, Lane, or other Description of his Place of Abode.

(Signed) A. B. Clerk.

No. 2.

Schedule (C.)**NOTICE OF CLAIM TO BE GIVEN TO THE SECONDARIES OF THE CITY OF LONDON, AND TO THE CLERKS OF THE RESPECTIVE LIVERY COMPANIES.**

To the Secondaries of the City of London [or to the Clerk of the Company of _____].

I hereby give you Notice, That I claim to have my Name inserted in the List made by the Clerk of the Company of _____ [or, in case of *Notice to the Clerk, say,* made by you] of the Liverymen of the said Company, [or, in case of *Notice to the Clerk, say,* of the Liverymen of the Company of _____] entitled to vote in the Election of Members for the City of London.

Dated the _____ Day of _____.

(Signed) A. B. { *[Place of Abode.*
Name of Company.]

No. 3.

LIST OF CLAIMANTS TO BE PUBLISHED BY THE SECONDARIES OF THE CITY OF LONDON.

The following Persons claim to have their Names inserted in the List of Persons entitled to vote, as Freemen of the City of London and Liverymen of the several Companies herein specified, in the Election of Members for the City of London.

Christian Name and Surname of Claimants, as in the Claim.	Place of Abode.	Name of the Company.

Dated the _____ Day of _____.

(Signed) A. B. } *Secondaries of the City
C. D. } of London.*

Schedule (C.)**No. 4.****NOTICE OF OBJECTION TO PARTIES INSERTED IN THE
LIST OF THE LIVERY.**

To Mr. _____.

I hereby give you notice, that I object to your name being retained in the list of persons entitled to vote, as freemen of the city of London and liverymen of the company of _____ in the election of members for the said city.

Dated the _____ day of _____.

(Signed) A. B. of [place of abode] *on the
list of voters of _____.*

No. 5.**NOTICE OF OBJECTION TO BE GIVEN TO THE SECONDARIES OF THE CITY OF LONDON, AND TO THE CLERKS OF THE RESPECTIVE LIVERY COMPANIES.**

To the secondaries of the city of London [*or to the clerk of the company of _____.*].

I hereby give you notice, that I object to the name of _____ being retained in the list of persons entitled to vote, as freemen of the city of London and liverymen of the company of _____ in the election of members for the said city.

Dated this _____ day of _____.

(Signed) A. B. of [place of abode] *on the
list of voters of _____.*

Note.—If the list contains two or more persons of the same name, the notice should distinguish the person intended to be objected to.

Schedule (C.)

89

N. C.

Schedule (C.)

THE LIST OF PERSONS OBJECTED TO, TO BE PUBLISHED BY THE SECONDARIES OF THE CITY OF LONDON.

The following persons have been objected to as not entitled to have their names retained on the list of persons entitled to vote, as freemen of the city of London and liverymen of the several companies herein specified, in the election of members for the said city.

Christian and Surname of each Person objected to.	Place of his Abode.	Name of the Company.

Dated the _____ day of _____.

(Signed) A. B. } *Secondaries of the*
C. D. } *city of London.*

SCHEDEULE (D.)

Schedule (D.)

No. 1.

TABLE OF RATES OF PAYMENT to be demanded and paid for any List or Copy of a List (other than a Register), where a Payment is required and authorized by this Act.

For any list or copy of a list containing any number of persons names—

		s.	d.
Not exceeding 100 Names	- - -	0	6
Exceeding 100 and not exceeding 200	- -	1	0
Exceeding 200 and not exceeding 300	- -	1	6
Exceeding 300 and not exceeding 400	- -	2	0
Exceeding 400	- - -	2	6

Schedule (D.)

No. 2.

TABLE OF RATES OF PAYMENT to be demanded and paid for any Copy of a Register or Part of any Register, where a Payment is required and authorized by this Act.

For every copy of any register or any part of any register containing any number of persons names—

	<i>s. d.</i>
Not exceeding 1,000 names	1 0
Exceeding 1,000 and not exceeding 3,000	2 6
Exceeding 3,000 and not exceeding 6,000	5 0
Exceeding 6,000 and not exceeding 9,000	7 6
Exceeding 9,000	10 0

I N D E X.

ACT,	PAGE
comes into operation June 1st, 1843, s. 2 -	2
may be amended this session, s. 102 -	69
AIDERS AND ABETATORS,	
of personation of voters, to be punished as principals, s. 84 -	55
ACTION,	
for compensation for unfounded charge of personation, s. 89 -	58
and criminal proceedings, for such unfounded charge and apprehension, when party making discharged from, s. 89 -	59
of debt for wilful contravention of this act, s. 97	62
of debt not to supersede other remedies, s. 97 -	63
AFFIRMATION.— <i>See OATH.</i>	
AGENTS,	
candidates may appoint to detect personation of voters, s. 85 (see PERSONATION OF VOTERS)	55
ANNUITY,	
act to prevent fraudulent votes by way of (3 Geo. 3, c. 24) repealed, s. 72 -	46
APPEAL,	
against decision of revising barrister, notice of to be given by party aggrieved to revising barrister, s. 42 -	28
requisites of notice of, s. 42 -	28
in discretion of revising barrister, s. 42 -	28
case for, to be stated by revising barrister, s. 42 -	28
case for, to be made and signed by revising barrister, s. 42 -	28
declaration of, to be signed by appellant, s. 42 -	28
case for, indorsement to be made on by revising barrister, s. 42 -	29

APPEAL—continued.	PAGE
copy of case and endorsements to be transmitted to court of Common Pleas, s. 42	29
copy of case and endorsements to be delivered to appellant and respondent, if required, s. 42	29
who to be respondent in, s. 42	29
to be determined by court of Common Pleas, s. 60	41
serjeants-at-law and barristers may be heard in, s. 61	42
statement of, to be transmitted by appellant to Common Pleas, s. 62	42
notice of, to be given by appellant to respondent, s. 62	42
to be entered by master of Common Pleas in appeal-book, s. 62	42
days for hearing to be fixed by Common Pleas, s. 63	42
not to be heard unless notice be given to master of Common Pleas, s. 64	43
nor unless respondent appear, or notice to respondent be proved, s. 64	43
when hearing of may be postponed, s. 64	43
not allowable on questions of fact, s. 65	43
nor for objection to evidence, s. 65	43
may be sent back to revising barrister for re-statement, s. 65	44
judgment of Common Pleas is final, s. 66	44
judgment in, to be transmitted to returning officer, if alteration in register required, s. 67	44
copy of decision of court in, evidence, s. 68	44
pending, not to affect right of voting, s. 69	45
when costs may be given in, s. 70	45
APPEAL CONSOLIDATED,	
power to consolidate appeals, s. 44	29
who to be appellant, s. 44	30
his declaration, s. 44	30
names, and if necessary, qualifications of other parties joined in appeal to be subscribed, s. 44	31

	PAGE
APPEAL CONSOLIDATED—<i>continued.</i>	
who to be respondent, s. 44 - - - - -	30
his declaration, s. 44 - - - - -	30
to be regulated by same rules as other appeals	
under this act, s. 45 - - - - -	31
to be binding on all parties, s. 45 - - - - -	31
agreement as to costs of may be made a rule of	
court, s. 45 - - - - -	31
if not duly prosecuted, any person interested may	
be made appellant or respondent, s. 45 (see	
COMMON PLEAS, COURT OF) - - - - -	31
party interested and objecting to, may prosecute	
his appeal separately, s. 45 - - - - -	32
such party liable to pay costs, s. 45 - - - - -	32
not entitled to costs, unless court otherwise or-	
der, s. 45 - - - - -	32
APPELLANT. — <i>See APPEAL. APPEAL CONSOLIDATED.</i>	
ASSESSED TAXES. — <i>See RATES AND TAXES.</i>	
assessment or duplicate may be inspected by	
overseers, s. 12 - - - - -	8
list of names and places of abode of persons who	
have not paid, to be made out and given to	
overseers, s. 12 - - - - -	8
list of names and places of abode of persons who	
have not paid, to be kept by overseers for	
perusal, s. 12 - - - - -	8
list of names and places of abode of persons who	
have not paid, when and on what terms they	
may be perused, s. 12 - - - - -	8
assessor or collector of, when he may be fined for	
not appearing before revising barrister, s. 50	36
ASSESSORS,	
or collectors of taxes, to permit overseers to in-	
spect tax assessments, s. 12 - - - - -	8
to deliver to overseers a list of persons in ar-	
rear at April, s. 12 - - - - -	8
may be fined for wilful or negligent non-attend-	
ance before revising barrister, s. 50 - - - - -	36
liable to action for wilful contravention of act,	
s. 97 - - - - -	62

	<i>PAGE</i>
BARRISTER,	
not to be heard in revision court, s. 41 - - -	27
may be heard in Common Pleas on appeal against	
decision of revising barrister, s. 61 - - -	42
meaning of word in this Act, s. 101 (see REVISING BARRISTER) - - -	67
BOOK,	
list of voters (COUNTRY) to be copied into, signed and delivered by clerk of the peace to the sheriff, s. 47 - - - - -	33
names in, how to be numbered and arranged, s. 47 - - - - -	34
to be the register for the year, s. 49 - - - - -	35
list of voters (CITIES AND BOROUGHS) to be copied into, signed and delivered by town clerk to returning officer, s. 48 - - - - -	34
names in, how to be arranged, s. 48 - - - - -	34
to be the register for the year, s. 49 - - - - -	35
for appeals, to be kept by master of court of Common Pleas, s. 62 - - - - -	42
BOOTHES.	
polling, what constables to be provided at by returning officer, s. 90 - - - - -	59
BOROUGH,	
clauses for forming registers of votes for, in 2 & 3 Wm. 4, c. 45, repealed, s. 1 - - - - -	1
town clerk of (see TOWN CLERK)	
list of voters for (LIST OF VOTERS, BOROUGH, OBJECTION)	
when right to vote for lost by non-registration, s. 78 - - - - -	51
when sheriff returning officer for, s. 99 - - - - -	6
BURGESSES.—See FREEMEN.	
CANDIDATES	
at election, may appoint agents to detect per- sonation of voters, s. 85 - - - - -	55
at election, to seal poll books, s. 93 - - - - -	61
CERTIORARI. CERTIFICATE.	
not allowed, for removing order or warrant of dis- tress for payment of fine or costs, s. 71- - -	46

CERTIORARI. CERTIFICATE— <i>continued.</i>	PAGE
of expenses of town clerk or returning officer of	
city or borough, s. 55	39
of expenses of overseers, s. 57	40
of rate of contribution by parishes, s. 55	39
CESTUI QUE TRUST,	
his right to vote, s. 74	47
CHANCERY,	
clerk of the crown of—(see CLERK OF THE CROWN)	
CITY,	
clauses for forming register of voters for, in 2 & 3	
W. 4, c. 45, repealed, s. 1	1
qualification for vote for, when lost by non-regis-	
tration, s. 78	51
when sheriff may be returning officer for, s. 99—	
(see BOROUGH)	65
AND BOROUGH, meaning of words in this Act,	
s. 101	66
CLAIM,	
frivolous, costs for—(see Costs)	
of persons omitted from list of voters, who may	
oppose, when, and upon what terms, s. 39	25
CLAIMANTS	
for votes for counties—(see List)	
when and how to be objected to by overseers, s. 5	4
for votes for cities and boroughs—(see NOTICE OF	
CLAIM. LIST OF CLAIMANTS. OBJECTION.)	
for votes for cities and boroughs may inspect rate-	
books and make extracts, s. 16	11
any person on list of voters may object to, s. 39	25
—(see OBJECTION TO CLAIMANTS)	
CLAUSES	
of 2 & 3 W. 4, c. 45, repealed, s. 1	1
CLERK OF THE CROWN IN CHANCERY,	
poll-book to be transmitted to, s. 93	61
to acknowledge receipt of in writing, s. 93	61
to register receipt of, s. 93	62
to preserve poll-books, s. 95	62
to issue office copies of poll-books, s. 95	62
to produce poll-books before committee of house	
of commons, s. 96	62

CLERK OF THE CROWN, &c.— <i>continued.</i>		PAGE
liable to action for wilful contravention of Act,		
s. 97	- - - - -	62
CLERK OF THE PEACE,		
to print and deliver forms of precepts, notices,		
lists, and tables of rates of payments to		
overseers, s. 3	- - - - -	2
to deliver copy of such parts of register in force		
as relates to their parishes or townships to		
the overseers, s. 3	- - - - -	3
to receive copy of register, list of claimants, and		
copy of the list of persons objected to from		
overseers, s. 9	- - - - -	6
to transmit abstract of numbers of persons ob-		
jected to, to revising barristers, s. 31	- - - - -	20
to advertise notice of holding revising barristers'		
courts, s. 32	- - - - -	20
to deliver copy of notice to overseers, s. 32	- - - - -	21
to deliver copies of lists of voters, lists of persons		
objected to, and the register then in force		
to revising barristers at their public court,		
s. 34	- - - - -	22
to transmit copy of voters (county) in a book to		
sheriff, s. 47	- - - - -	34
fines for offences relating to formation of county		
register to be paid over to, s. 52	- - - - -	37
to keep account of monies received by him, s. 53	- - - - -	37
to pay same over to treasurer of county towards		
county-rate, s. 53	- - - - -	38
expenses of, under this Act, how to be defrayed,		
s. 53	- - - - -	38
liable to action for wilful contravention of Act, s. 97	- - - - -	62
meaning of the word in this Act, s. 101	- - - - -	67
COMMON COUNCIL.— <i>See Town COUNCIL.</i>		
COMMON PLEAS,		
court of, to determine appeals, s. 60	- - - - -	41
barrister and Queen's counsel may be heard in,		
s. 61	- - - - -	42
master of, statement of appeal to be transmitted		
to, s. 62	- - - - -	42
master of, to enter appeal in appeal-book, s. 62	- - - - -	42

	PAGE
COMMON PLEAS—<i>continued.</i>	
to fix days for hearing appeals, s. 63	42
may remit statement of revising barrister, s. 65	43
decision of, to be final, s. 66	44
decision of, to be notified to returning officer, if requiring alteration of register, s. 67	44
decision of, copy of, purporting to be signed by master, evidence, s. 68	44
when they may give costs of appeal (see APPEAL. <i>Costs</i>)	45
COMPENSATION	
for unfounded charge of personation, s. 89	58
party accepting, barred his action or prosecution, s. 89	59
COSTS,	
agreement as to, in consolidated appeals may be made a rule of court, s. 45	31
to be paid by party refusing to join in con- solidated appeal, s. 45	32
not to be received by such party, unless by order of the court, s. 45	32
for frivolous claims and objections, may be awarded by revising barrister, s. 46	32
for frivolous claims and objections, amount of, s. 46	33
for frivolous claims, and objections, order for, s. 46	33
for frivolous claims and objections, may be made notwithstanding notice of intention to ap- peal, s. 46	33
for frivolous claims and objections, to be suspended upon appeal, s. 46	33
for frivolous objection, must be paid or deposited with revising barrister before another ob- jection by same person can be heard, s. 46	33
of appeal, when they may be given, s. 70	45
for recovering remuneration for unfounded charge of personation, s. 89	58
no <i>certiorari</i> allowed, s. 71	46
how enforced, s. 71	45

COSTS— <i>continued.</i>	PAGE
AND FINES awarded by revising barrister, how enforced, s. 71 - - - - -	45
no <i>certiorari</i> allowed, s. 71 - - - - -	46
COUNSEL,	
not to attend revision courts, s. 41 - - - - -	27
may be heard on appeals, s. 61 - - - - -	42
COUNTY,	
clause in, 2 & 3 W, 4, c. 45, for forming register of voters for, repealed, s. 1 - - - - -	1
copy of such parts of register of voters for, as related to their parish or township, to be delivered by the clerk of the peace to the overseers, s. 3 - - - - -	2
notice to voters for, to make their claim, s. 4 - - - - -	3
notice to voters for, form of, Schedule A, No. 2 - -	73
their claim, when and how to be made, s. 4 - - - - -	3
their claim, form of, Schedule A, No. 3 - - - - -	74
list of claimants for votes for, to be made out by overseers, s. 4—(see List) - - - - -	3
claimants for votes for, to be objected to, when and how by overseers, s. 5 - - - - -	4
claimants for votes for, copies of list of, to be printed, signed, and published by overseers, s. 5 - - - - -	4
claimants for votes for, copies of list of, to be kept by them for perusal, s. 5 - - - - -	4
claimants for votes for, copies of list of, to be delivered, on what terms, s. 5, and Schedule D, No. 1 - - - - -	5, 68
claimants for votes for, when and how to be objected to by third parties, s. 7 - - - - -	5
copies of register of voters for, to be printed, signed and published by overseers, s. 5 - -	
copies of register of voters for, to be kept by them for perusal, s. 5 - - - - -	4
copies of register of voters for, to be delivered by overseers, when and upon what terms, s. 5, and schedule D, No. 1 - - - - -	5, 89
voter for, when he may vote in different district in which qualification is, s. 36 - - - - -	23

	PAGE
COUNTY — <i>continued.</i>	
See REVISING BARRISTER. <i>See NOTICE OF OBJECTION.</i>	
LIST.	
vote for, by joint occupation, s. 73	- - - 47
vote for, by successive occupation, s. 73	- - - 47
meaning of word in this Act, s. 101	- - - 66
COUNTY RATE,	
money received by clerk of the peace under this	
Act to be paid over to treasurer, in aid of,	
s. 53	- - - - - 37
COURT OF COMMON PLEAS. — <i>See APPEAL. COMMON</i>	
PLEAS, COURT OF.	
CRICKLADE,	
freeholders of Malmesbury, where to be registered,	
s. 21	- - - - - 15
need not be assessed to land tax, s. 77	- - - 50
DEBT,	
action of, to recover sum awarded as compensation	
for unfounded charge of personation, s. 89	- 59
action of, for illegal contravention of Act, s. 97	- 62
action of, for illegal contravention of Act, not to	
supersede other remedies, s. 97	- - - 63
DISTANCES,	
how to be measured, s. 76	- - - - - 50
DISTRESS. — <i>See WARRANT OF DISTRESS, ss. 71, 89,</i>	
	45, 58
ELECTION COMMITTEE,	
how far register of voters binding on, s. 98	- 64
chairman of, his warrant for production of poll	
books, s. 96	- - - - - 62
EVIDENCE,	
copy of decision of Common Pleas, purporting to	
be signed by master, admissible in, s. 68	- 44
office copy of poll book admissible in, s. 94	- 62
who may be summoned to give before revising	
barrister, s. 35	- - - - - 22
EXPENSES,	
of clerk of the peace, how defrayed, s. 54	- 38
of town clerk, how defrayed, s. 55	- - - 38

	<i>PAGE</i>
EXPENSES—<i>continued.</i>	
of returning officer of city or borough, how defrayed, s. 55	33
FINE,	
for wilful non-appearance before revising barrister, may be imposed by him on overseer, &c., s. 50	36
amount of, to be imposed, s. 50	36
for neglect of any duty under this Act, may be imposed by revising barrister or overseer, s. 51	36
amount of, to be imposed, s. 51	36
not to abridge right of action against, or other liability of party incurring it, s. 51	37
amount of, and by and to whom to be paid, to be stated by revising barrister by order in writing, s. 52	37
if in respect of offence relating to formation of county register, to be paid over to clerk of the peace, s. 52	37
appropriation of, s. 52	37
if in respect of offence relating to formation of city or borough register, to be paid over to town clerk, or secondaries, s. 52	37
appropriation of, s. 52	37
how to be recovered, s. 71	45
FRAUDULENT VOTES,	
by annuities or rentcharge, Act for preventing, (3 Geo. 3, c. 24), repealed, s. 72	46
FREEHOLDERS,	
of Horsham and Malmesbury, where to be registered, s. 21	15
for New Shoreham and Cricklade, need not be assessed to land tax, s. 77	50
FREEMEN,	
list of, to be made out by town clerk, s. 14	9
list of, form of, Schedule B., No. 5	82
list of, requisites of, s. 14	9
list of, to be signed and published by town clerk, s. 14	10
list of, to be kept for perusal, &c., s. 14	10

FREEMEN— <i>continued.</i>	PAGE
list of, copies of, to be delivered on payment of fixed fees, s. 14	10
list of, copies of, rate of payment for, Schedule D.	
No. 1	89
list of, objections to persons on, (see <i>Lists.</i> <i>OBJECTION.</i>)	
claimants to vote as, to give notice to town clerk, s. 15	10
claimants, list of, to be published by town clerk, s. 15	10
claimants, list of, form of, Schedule B., No. 9	84
claimants, objection to, s. 17, (see <i>OBJECTION.</i>)	11
claimants, list of, objected to, to be made out and published by clerk of the peace, s. 18	12
claimants, list of, objected to, form of, Schedule B., No. 13	86
claimants, list of, objected to, copies of, to be kept for inspection, &c., s. 18	12
FREEMEN OF LONDON.— <i>See</i> LONDON.	
HOUSEHOLDERS,	
list of, to be made out, printed, signed, published, and kept for inspection by the overseers, s. 13	8
may vote, though inaccurately described in rate, s. 75	49
HORSHAM,	
freeholders in, provision as to registration of, s. 21	15
INDORSEMENT,	
on case for appeal.— <i>See</i> APPEAL.	
INQUIRY,	
what may be made at time of polling, s. 81	53
wilful false answer to, a misdemeanor, s. 81	54
ISLE OF WIGHT,	
town clerk of Newport to be deemed clerk of the peace of, s. 101	68
JOINT OCCUPATION,	
vote by, for county, s. 73	46

	PAGE
JUDGMENT,	
of Common Pleas on appeal final, s. 66 - - -	44
if requiring alteration of register, to be notified	
to returning officer, s. 67 - - -	44
copy of, purporting to be signed by master,	
evidence, s. 68 - - -	44
not to affect vote previously given, s. 90 - - -	59
JUSTICES OF THE PEACE,	
to grant warrants of distress for levying fines and	
costs awarded by revising barristers, s. 74 -	45
person charged with personation of voter may be	
brought before s. 87 - - - -	57
warrant for apprehension of, may be issued by s. 87	57
may commit for trial and bind over witnesses, s. 88	57
may order compensation for unfounded charge, s. 89	58
may grant warrant of distress for nonpayment of	
compensation, s. 89 - - - -	58
LAND TAX,	
freeholders of Shoreham and Cricklade need not	
be assessed to, s. 77 - - - -	50
LANDS OR TENEMENTS,	
occupying tenant of at 50 <i>l.</i> rent, may vote on	
successive occupation, s. 73 - - - -	47
tenant of, may vote on joint occupation, if rent	
in proportion, s. 73 - - - -	47
LISTS. CITIES AND BOROUGHS,	
forms of, to be printed by town clerk, and deli-	
vered to overseers, s. 12 - - - -	8
of claimants, other than as freemen, to be pub-	
lished by overseers, s. 15 - - - -	10
of claimants, form of, Schedule B., No. 8 - - -	83
of claimants, to be published by overseers, s. 18	12
of claimants, to be kept by overseers, s. 18 -	12
of claimants, to be inspected and extracts made	
from s. 18 - - - -	12
of claimants, to be delivered by overseers to town	
clerk, s. 19 - - - -	12
of claimants, abstract of number of claimants in,	
to be transmitted by town clerk to revising	
barristers, s. 31 - - - -	20

LISTS. CITIES AND BOROUGHS— <i>continued.</i>	PAGE
of persons, entitled to vote as householders, to be made out by overseers, s. 13 - - - - -	8
requisites of s. 13 - - - - -	8
form of, Schedule B., No. 3 - - - - -	81
to be signed, printed and published by overseers, s. 13 - - - - -	9
to be inspected without fee, s. 13 - - - - -	9
copies of to be delivered, on payment of fixed fee, s. 13 - - - - -	9
rate of payment for, Schedule D., No. 1 - - - - -	89
copies of, to be delivered to town clerk, s. 19 - - - - -	12
of freemen, (see FREEMEN).	
of freemen, (liverymen of London), (see LONDON).	
of voters, names of claimants to be inserted in by revising barrister on proof of qualification, s. 38 - - - - -	24
of other persons entitled to vote (not being freemen), to be made out by overseers, s. 13 - - - - -	8
requisites of, s. 13 - - - - -	9
form of, Schedule B., No. 4 - - - - -	81
to be signed, printed, and published by overseers, s. 13 - - - - -	9
to be inspected without fee, s. 13 - - - - -	9
copies of, to be delivered on payment of fixed fee, s. 13 - - - - -	9
rate of payment for, Schedule D., No. 1 - - - - -	89
copies of, to be delivered to town clerk, s. 19 - - - - -	12
of persons, who have not paid taxes, to be made out and delivered to overseers, s. 12 - - - - -	8
to be kept for inspection, s. 12 - - - - -	8
of voters, (not being freemen), objected to, to be made out by overseers, s. 18 - - - - -	12
form of, Schedule B., No. 12 - - - - -	85
to be signed and published by overseers, s. 18 - - - - -	12
where to be published, s. 18 - - - - -	12
copies of, to be kept for inspection, s. 18 - - - - -	12
to be delivered to parties on payment of fixed price, a. 18 - - - - -	12

LISTS. CITIES AND BOROUGHS— <i>continued.</i>	PAGE
rate of payment, s. 18, Schedule D, No. 1	12, 89
to be delivered to town clerk, s. 19	12
abstract of numbers of to be transmitted to revising barristers, s. 31	20
of voters revised, to be delivered by revising barrister to town clerk, s. 48	34
to be copied and printed by town clerk into a book, s. 48	34
book of, to be signed and delivered by town clerk to returning officer, s. 48	35
to be register for the year, s. 49 (see Book. REVISING BARRISTERS)	35
LISTS. COUNTIES.	
of claimants, forms of, to be printed and delivered to clerk of the peace, s. 3	2
of claimants, to be made out by overseers, s. 5	3
of claimants, requisites of, s. 5	4
of claimants, to constitute with copy of register, list of voters for parish, s. 6	5
of claimants, to be delivered by overseers to clerk of the peace, s. 9	6
of claimants, to be produced by clerk of the peace before revising barrister, s. 34	22
of claimants, objections to claimants omitted from, s. 39	25
of persons objected to, forms of, to be printed and delivered by clerk of the peace to overseers, s. 3	2
of persons objected to, to be made by overseers, s. 8	6
of persons objected to, form of, Schedule A, No. 6	76
of persons objected to, to be published, where, s. 8	6
of persons objected to, copies of, to be kept for inspection, s. 8	6
of persons objected to, copies of, to be delivered on payment of fixed price, s. 8	6
of persons objected to, rate of payment, Schedule D., No. 1	89
of persons objected to, to be delivered by overseers to clerk of the peace, s. 9	6

	PAGE
LISTS. COUNTIES—<i>continued.</i>	
of persons objected to, to be delivered by clerk	
of the peace to revising barrister, s. 34	22
of voters, to consist of register for current year,	
and list of claimants, s. 6	5
of voters, when and how names in to be objected	
to by overseers, s. 5	4
of voters, when, how, and by whom besides, s. 7	5
of voters, copies of, to be published by overseers, s. 5	4
copies of, to be kept by overseers for inspection	
and sale, s. 5	4
copies of, rate of payment for copy of, Schedule	
D, No. 1	89
of voters, to be delivered by overseers to clerk of	
the peace, s. 9	6
of voters, to be produced by clerk of the peace	
before revising barrister, s. 34	22
of voters, claimants omitted from, to be inserted	
by revising barrister on proof of notice of	
claim and qualification, s. 37	24
of voters, claimants omitted from, may be op-	
posed on notice of objection given in court,	
s. 37	24
of voters, insertion in, of change of polling place	
in certain cases, s. 36	23
when revised to be transmitted to clerk of the	
peace, s. 47	33
when revised, to be kept among records of sessions,	
s. 47	33
copy of, to be made by clerk of the peace in a	
book, s. 47	33
copy of, to be transmitted to the sheriff, s. 47	
(see Book)	34
LISTS. COUNTIES, CITIES AND BOROUGHES.	
generally, not invalidated, by imperfect publica-	
tion, s. 26	16
of voters, if not made out or not duly published	
former register to be in force, s. 27	17
of voters, appointment of barristers for revision	
of, s. 28 (and see REVISING BARRISTER)	17

LISTS. COUNTIES. CITIES, &c.— <i>continued.</i>	PAGE
of voters, to be produced before revising barrister,	22
s. 35 - - - - -	22
of voters, any person on, may object to claimant	
omitted from list, s. 39 - - - - -	25
of voters, mistakes in, to be corrected by revising	
barrister, s. 40 - - - - -	25
of voters, names of persons in, when qualification	
on list insufficient, to be expunged by revising	
barrister, s. 40 - - - - -	25
of voters, names of persons insufficiently described	
in, &c. to be expunged, unless defect supplied	
to satisfaction of revising barrister, s. 40 - - - - -	26
of voters, every page to be signed by revising	
barrister, s. 41 - - - - -	28
of voters, publication of, ss. 23, 24, 25, 26 (see	
PUBLICATION) - - - - -	15, 16
of voters, misnomer or inaccurate description	
in, when not to vitiate, s. 101 - - - - -	68
LIVERYMEN.— <i>See</i> LONDON.	
LONDON,	
secondaries of, to issue precepts and forms to	
clerks of livery companies, s. 20, and	
schedule D. - - - - -	13, 89
list of freemen of, being liverymen and entitled	
to vote, to be made out by clerk of livery	
company, s. 20 - - - - -	13
list of freemen of, form of, Schedule C, No. 1 - - - - -	86
list of freemen of, to be signed by clerk, and	
transmitted with two copies to secondaries, s. 20	
- - - - -	13
list of freemen of, the copies to be affixed by	
secondaries, one on Guildhall and one on	
Royal Exchange, s. 20 - - - - -	13
list of freemen of, copies of, to be printed by clerks	
and kept for inspection, s. 20 - - - - -	13
registration of freemen of, provisions as to, s. 20	13
secondaries and clerks, to attend revising barris-	
ter, s. 35 - - - - -	22
secondaries and clerks, to produce lists and no-	
tices, s. 35 - - - - -	22

	PAGE
LONDON — <i>continued</i>	
secondaries and clerks, to answer upon oath, s. 35	23
secondaries and clerks, to produce documents, &c. s. 35	23
fine in respect of offence in the register of voters for, to be paid over to secondaries, s. 53 (and see FINE)	37
freemen of, being liverymen, when and how to poll, s. 92	60
 MALMESBURY ,	
freeholders in, voters for Cricklade, where to be registered, s. 21	15
 MAPS ,	
published by ordnance, may be used to measure the seven miles, s. 76	50
 MILES ,	
the seven, to be measured in straight line, s. 76	50
 MISNOMER ,	
in poor-rate, not to affect right of voting, s. 76	50
in list or notice, not to vitiate, s. 101	66
 MORTGAGEE ,	
not to vote unless in possession, s. 74	47
 MORTGAGOR ,	
in possession, may vote, s. 74	48
 NEW SHOREHAM ,	
ss. 21, 77	15, 50
 NEWSPAPERS ,	
times and places of county revision to be adver- tised in, s. 32	21
 NOTICES ,	
forms of, to be printed and delivered by clerk of the peace to overseers of counties, s. 3	2
forms of, to be printed and delivered by town- clerk to overseers of boroughs, s. 10	7
 NOTICE ,	
of appeal, (see APPEAL).	
as to payment of rates and taxes, (see RATES AND TAXES).	
of claim, by claimants of votes for counties, s. 4	3

NOTICE—continued.	PAGE
of claim to be given by claimants of votes for boroughs, s. 15 - - - - -	10
forms of, Schedule B. Nos. 6. 7 - - - - -	82, 83
of objection, (see OBJECTION).	
of objection, to whom to be sent, if abode not mentioned, or abode abroad, s. 100 - - - - -	65
generally, what good service on overseers, s. 101 - - - - -	67
may be sent by the post, ss. 100, 101 - - - - -	65, 67
to be delivered in duplicate to the postmaster, ss. 100, 101 - - - - -	66, 67
the duplicate to be returned stamped to party sending, ss. 100, 101 - - - - -	66, 67
the stamped duplicate evidence of time of delivery, ss. 100, 101 - - - - -	66, 67
of times and places of revision for counties, to be given by revising barrister to clerk of the peace, s. 32 - - - - -	20
of times and places of revision for counties to be given by advertisement by clerk of the peace, s. 32 - - - - -	21
of times and places of revision for counties, copies of to be delivered to overseers, s. 32 - - - - -	21
to be published by overseers, s. 32 - - - - -	21
of times and places of revision for cities and boroughs, to be given by revising barrister to town clerk, s. 33 - - - - -	21
of times and places of revision for cities and boroughs, to be published by town clerk, s. 33 - - - - -	21
OATH,	
meaning of word, s. 101 - - - - -	69
OATHS AND AFFIRMATIONS,	
revising barrister may administer, s. 41 - - - - -	27
falsely taken, to be deemed perjury, s. 41 - - - - -	27
enactments as to, at time of polling, in 2 W. 4, c. 45, repealed, s. 80 - - - - -	53
what may be then administered, ss. 81, 82 53, 54	
to voter, may be made by any person on list of voters, s. 17 - - - - -	11

	PAGE
OBJECTION.—CITIES AND BOROUGHS.	
notice of, to be given to overseers, s. 17	11
notice of, if party objected to as freemen, to be given to town clerk, s. 17	12
notice of, form of, Schedule B. No. 10	84
notice of, must be signed by party objecting, s. 17	12
notice of, must be given to party objected to, s. 17	12
notice of, form of, Schedule B. No. 11	85
<i>See Lists (CITIES AND BOROUGHS).</i>	
OBJECTION.—COUNTIES,	
to voter, to be made by overseers, s. 5	4
may be made by any person on register for time being, s. 7	5
notice of, must be given to overseers, s. 7	5
form of notice to overseers, Schedule A. No. 4	75
notice of, must be given to party objected to, s. 7	5
form of notice, Schedule A. No. 5	76
form of, to be signed by person objecting, s. 7	5
form of, when duplicate to be given to occupying tenant, s. 7	6
<i>See Lists (COUNTIES) OF VOTERS.</i>	
OBJECTION.—COUNTIES, CITIES AND BOROUGHS.	
to claimants omitted from lists, who may make; when, where, or upon what terms, s. 39	25
frivolous, costs for, see (<i>Costs</i>).	
OCCUPATION,	
joint, qualification for county by, s. 73	47
successive, qualification for county by, s. 73	47
ORDNANCE,	
maps of, may be used for measuring the seven miles, s. 76	50
OVERSEERS—CITIES AND BOROUGHS,	
precept, notices, and lists, to be sent to, by town clerk, s. 10	7
to give notice as to payment of rates and taxes, s. 11	7
form of Schedule B. No. 2	80
may inspect and make extracts from tax assessments, s. 12	8
list of persons in arrear of taxes to be delivered to, s. 12	8
to keep this list for perusal, s. 12	8

OVERSEERS—CITIES AND BOROUGHS— <i>continued.</i>		PAGE
to make lists of householders entitled to vote, s. 13	- - - - -	8
to make lists of other persons (not freemen) entitled to vote, s. 13	- - - - -	9
to sign and publish these lists, s. 13	- - - - -	9
to cause copies to be printed, s. 13	- - - - -	9
to keep for inspection and deliver copies, s. 13	- - - - -	9
to deliver a copy to town clerk, s. 19, (see <i>LIST OF VOTERS</i>)	- - - - -	12
notice of claim, other than by freemen, to be given to, s. 15	- - - - -	10
to make lists of claimants, s. 15, (and see <i>LIST OF CLAIMANTS</i>)	- - - - -	11
to make lists of persons objected to, s. 18, (and see <i>LIST OF PERSONS OBJECTED TO</i>)	- - - - -	12
to attend first court of revising barristers, s. 35	- - - - -	22
to deliver list of voters (except freemen) and notices of claim and objection to revising barrister, s. 35	- - - - -	22
to produce poor rates, s. 35	- - - - -	23
to answer upon oath, s. 35	- - - - -	23
to produce documents, papers and writings, s. 35	- - - - -	23
to apply moneys received under this Act, in aid of poor rate, s. 53	- - - - -	37
to defray expenses of town clerk and returning officer out of first moneys collected for poor rate, s. 55	- - - - -	38
OVERSEERS.—COUNTRIES,		
precept and forms of notices and lists, and copy of register in force to be delivered to, from clerk of the peace, s. 3	- - - - -	2
to publish notice requiring voters to make their claim, s. 4	- - - - -	3
form of notice, Schedule A. No. 2	- - - - -	73
to make out list of claimants, s. 5	- - - - -	3
when and how to object to names of voters for counties, s. 5	- - - - -	4
to print copies of lists of claimants and copies of register, s. 5	- - - - -	4
to sign and publish same, s. 5	- - - - -	4
to keep copies for perusal, s. 5	- - - - -	4

OVERSEERS—COUNTIES— <i>continued.</i>		PAGE
to deliver copies on payment of fixed price, s. 5	- - - - -	4
notices of objection to be sent to, s. 7	- - - - -	5
to make list of persons objected to, s. 8	- - - - -	6
to publish same, permit inspection, and sell copies, s. 8	- - - - -	6
to deliver copy of register, list of claimants, and copy of list of persons objected to, to clerk of the peace, s. 9	- - - - -	6
copy of notice of holding revising courts, to be given to, s. 33	- - - - -	21
to publish copy of this notice, s. 32	- - - - -	21
to attend courts of revising barristers, s. 33	- - - - -	21
to deliver original notices of claim and of objection to revising barristers, s. 33	- - - - -	21
to answer upon oath, s. 34	- - - - -	22
to produce documents, &c. s. 34	- - - - -	22
OVERSEERS.—COUNTIES, CITIES AND BOROUGHS,		
provisions as to registration of places not having,	s. 22	15
what shall be publication by, s. 23	- - - - -	15
may be named respondents on appeal, s. 43	- - - - -	29
and in consolidated appeal, s. 45	- - - - -	31
may be fined for wilfully refusing or neglecting to appear before revising barrister, s. 50	- - - - -	36
or for wilful refusal or neglect of duty under this act, s. 51	- - - - -	36
not discharged by fine from action or other lia- bility, s. 51	- - - - -	37
expenses of, how to be defrayed, s. 57	- - - - -	40
penalty on, for wilful contravention of act, s. 97	- - - - -	62
meaning of word, s. 101	- - - - -	67
majority may act, s. 101	- - - - -	67
notice to one sufficient, s. 101	- - - - -	68
how notice may be served, s. 101	- - - - -	68
PARISH AND TOWNSHIPS,		
meaning of word, s. 101	- - - - -	67
in what proportion moneys to be paid to by town clerk, s. 53	- - - - -	37
rate of contribution towards expenses of town clerk and revising barrister, s. 55	- - - - -	37

PAYMENT,	
none to be made on claim for registration, s. 58	- 40
none to be made for being on register, s. 58	- 40
PEACE OFFICERS,	
what to be provided by returning officer at election, s. 90	- - - - - 59
PERSONATION OF VOTERS,	
a misdemeanor, s. 83	- - - - - 55
aiders and abettors, to be punished as principals, s. 84	- - - - - 55
agents may be appointed for detection of, s. 85	- 55
person charged with, may be committed to custody by returning officer, s. 86	- - - - - 56
his vote not to be rejected if questions answered in affirmative, s. 86	- - - - - 56
to be taken before two justices, s. 87	- - - - - 57
when to be liberated on recognizance by one justice, s. 87	- - - - - 57
to be discharged if no justice found within four hours after close of poll, s. 87	- - - - - 57
may be apprehended again on warrant of two justices, s. 87	- - - - - 57
may be committed for trial, s. 88	- - - - - 57
may be awarded compensation by justices, if charge unfounded, s. 89	- - - - - 58
if he agree to accept compensation, no action or other civil or criminal proceedings to be brought, s. 89	- - - - - 59
POLL BOOKS,	
provisions for safe custody of, s. 93	- - - - - 60
office copies of, to be evidence, s. 94	- - - - - 62
production of by warrant of chairman of election committee, s. 96	- - - - - 62
production of, by clerk of the crown of Chancery, <i>prima facie</i> evidence of authenticity, s. 96	- 62
POLLING,	
enactments of 1 & 2 Will. 4, c. 45, as to questions and oaths at time of, repealed, s. 80	- - - - - 53
what questions may be put at, s. 81	- - - - - 53
wilful false answer, a misdemeanor, s. 81	- - - - - 54
what oaths may be administered at, ss. 81, 82.	53, 44

	PAGE
POLLING BOOTHS,	
what constables to be provided at by returning officer, s. 90	59
POLLING PLACE,	
of voter for county, when it may be changed by revising barrister, s. 36	23
POOR RATE,	
moneys received by overseers under the authority of this act, to be in aid of, s. 53	37
expenses of town clerk and returning officer of city or borough to be defrayed out of, s. 55	38
rate of contribution by different parishes, s. 55	39
the expenses to be defrayed out of first moneys collected for, s. 55	39
expenses of overseers to be defrayed out of, s. 57.	40
inaccurate description in not to prevent house- holder from voting, s. 75	49
<i>See RATES AND TAXES.</i>	
POOR-RATE BOOK. — <i>See RATE BOOK.</i>	
POST,	
regulations for sending notices by, ss. 5, 100, 101	65, 68
POSTMASTER,	
his duty as to transmission of poll-books, s. 93	61
penalty on, for wilful contravention of act, s. 97	62
POSTMASTER-GENERAL	
may make regulations as to transmission of notices by post, s. 100	65
PUBLICATION,	
what by overseers, s. 23	15
what by town clerk, s. 23	16
duration of, s. 24	16
penalty for hindering, s. 25	16
if imperfect, not to invalidate list, s. 26	16
PRECEPTE	
from clerk of the peace to overseers, s. 3	4
form of, Schedule A, No. 1	69
from town clerk to overseers, s. 10	7
form of, Schedule B. No. 1	77

	PAGE
QUALIFICATION,	
examination before revising barristers to be confined to that mentioned in lists of voters and notices of claim, s. 40	25
description of, not to be changed, except for more accurate definition, s. 40	26
particulars of, when to be written under declaration of appellant, and respondent in consolidated appeal, s. 44	31
by occupying lands at 50 <i>l.</i> rent, s. 73	46
by joint tenancy, s. 73	47
for cities and boroughs, when lost by non-registration, s. 78	51
register conclusive of, at election, s. 79	52
when it may be questioned by election committee, s. 98	64
QUARTER SESSIONS. COUNTY.	
to order payment of expenses of clerk of the peace, s. 54	38
when to audit and allow expenses of town clerk and returning officer of city or borough, s. 54	38
QUESTIONS,	
enactments as to, at time of polling in 2 W. 4, c. 45, repealed, s. 80	53
what may be put at time of polling, s. 81	53
wilful false answer to, a misdemeanor, s. 81	54
RATE BOOK,	
may be inspected by persons on list of voters and claimants, s. 16	11
RATES AND TAXES,	
extracts may be taken from, s. 16	11
notice as to necessity of payment of, to be given by overseers of city and borough parishes, s. 11	7
form of notice, Schedule B. No. 2	80
may be inspected and extracts made from by overseers, s. 12	8
list of persons who have not paid up to 6th April, to be made by overseers, and kept for inspection, s. 12	8

	PAGE
REGISTER OF VOTERS,	
clauses in 2 & 3 W. 4, c. 45, for forming, repealed, s. 1	1
what shall be, s. 49	35
printed copies to be kept for sale, s. 49	35
scale of payment for, schedule D. No. 2	90
between what days to be in force, s. 49	35
now in force, to be in force till 1st day of December, 1843, s. 49	35
when to be altered in consequence of judgment on appeal, s. 67	44
conclusive of qualification at election, s. 79	52
when election committee may question, s. 98	63
REGISTER OF VOTERS. CITIES AND BOROUGHS,	
when omission from, for two successive years, destroys qualification, s. 78	52
RELIEVING OFFICER	
to attend revising barrister, s. 35	23
may be fined for wilful non-attendance, s. 50	36
RESIDENCE. CITIES AND BOROUGHS,	
must continue till time of voting, 79	52
RESPONDENT.—See APPEALS. APPEAL CONSOLIDATED. Costs.	
RETURNING OFFICER,	
when judgment of Common Pleas on appeal to be notified to, s. 67	44
his duty thereupon, s. 67	44
may commit person charged with personation, s. 86	56
not to reject his vote, but to protest it, s. 86	56
his duty when second vote tendered for same qualification, s. 91	59
his duty in sealing and transmitting poll book to clerk of the crown in Chancery, s. 93	60
liability of for wilful contravention of act, s. 97	62
RETURNING OFFICER. CITY AND BOROUGH.	
his expenses, how defrayed, s. 55	38
RULE OF COURT,	
agreement as to costs of consolidated appeal may be made, s. 45	31

REVISING BARRISTERS. CITIES AND BOROUGHS. PAGE	
to notify his appointment to town clerks, s. 31	20
to hold courts for revising, s. 33	21
to give notice of time and place to town clerk, s. 33	21
his court to be attended by town clerk, secondaries, overseers, clerks of livery companies, who must produce documents, and answer upon oath, s. 35	22
may require attendance of overseers, assessors of taxes, &c., of past year and examine on oath, s. 35	23
to insert claimants in list, on proof of qualifica- tion, s. 38	24
to transmit list of voters to town clerk, s. 48	34
REVISING BARRISTER. COUNTIES,	
to notify his appointment to town clerk, s. 31	20
to make circuit for revising, s. 32	20
to hold open courts for revising, s. 32	20
to give notice of times and places of holding to clerk of the peace, s. 32	20
clerk of the peace and overseers to attend their courts, deliver and produce documents, and answer upon oath, s. 34	22
when and how he may change polling place of voters, s. 36	23
to insert in list of voters the names of claimants on proof of qualification, s. 38	24
may retain name of person objected to for change of abode, on proof of identity of qualifica- tion, and place of abode being supplied, s. 40	26
REVISING BARRISTERS. COUNTIES, CITIES AND BOROUGHS	
clause for forming in 2 & 3 W. 4, c. 45, repealed, s. 1	1
to revise lists imperfectly published, s. 26	16
by whom to be appointed, s. 28	17
number of, s. 28	18
who may not be, s. 28	18
additional appointment of, s. 29	19
may hold separate courts, and at separate places, s. 30	20
to correct mistakes in lists of voters, s. 40	25

REVISING BARRISTERS. COUNTIES, CITIES AND BOROUGHS— <i>continued.</i>	PAGE
to expunge names of persons whose qualifications, as stated on the list, are insufficient, s. 40 - - - - -	25
to expunge names of persons who are dead, s. 40	25
to expunge names where important omission, unless satisfactorily supplied, s. 40 - - - - -	25
to expunge names of persons imperfectly registered, unless the defect is satisfactorily supplied, s. 40 - - - - -	25
examinations before, to be confined to qualifications mentioned in lists of voters and claims, s. 40	26
to require proof of qualification, where person objecting appears, and proves requisite notices, s. 40 - - - - -	26
may adjourn court, s. 41 - - - - -	27
may administer oaths, s. 41 - - - - -	27
not to be attended by counsel, s. 41 - - - - -	27
to determine in open court, s. 41 - - - - -	27
his power and method of proceeding, s. 41 - - - - -	27
to write his initials against names expunged, or inserted, mistakes corrected, omissions supplied, and insertions made, s. 41 - - - - -	27
to sign name to every page of settled lists, s. 41 (see APPEAL) - - - - -	28
may give costs in cases of frivolous and vexatious claims and objections, s. 46 (see Costs) -	32
may fine overseers, &c., for wilful refusal or neglect to appear before him, s. 50 - - - - -	36
may fine overseers for wilful transgression of Act, or neglect of duty, s. 51 - - - - -	36
imposing fine, to state in open court the sum payable, and by and to whom and when to be paid, s. 52 - - - - -	37
order for payment of costs and fines by, how to be enforced, s. 71 - - - - -	45
to audit overseer's accounts and give certificate, s. 57	40
remuneration of, s. 59 - - - - -	40
statement of appeal may be remitted to for rematement, s. 65 - - - - -	43

	PAGE
SECONDARIES OF LONDON.— <i>See</i> LONDON.	
SESSIONS.— <i>See</i> QUARTER SESSIONS.	
SHERIFF,	
when judgment of Common Pleas in appeal to be notified to, s. 67	44
his duty thereupon, s. 67	44
when he may be returning officer for city or borough, s. 99 (see RETURNING OFFICER)	65
SHILLING,	
payment of, for registration abolished, s. 57	40
SHOREHAM,	
when freeholders for, in Malmesbury to be registered, s. 21	21
freeholders of, need not be assessed to land tax, s. 77	51
STATUTE,	
3 Geo. 3, c. 24, repealed, s. 72	46
STATUTE MILES,	
to be measured in straight line, s. 76	50
SUCCESSIVE OCCUPATION,	
of lands and tenements of 50 <i>l.</i> rent gives vote for county, s. 73	47
TABLES,	
of rates of payment for lists, &c., to be delivered by clerk of the peace to overseers of county parishes, s. 3	2
and by town clerk to overseers of city and borough parishes, s. 10	7
of rates of payment for lists, &c., form of, Schedule D, No. 1	89
of rates of payment for copy of register, form of, Schedule D, No. 2	90
TAXES.— <i>See</i> RATES AND TAXES.	
TENEMENTS.— <i>See</i> LANDS AND TENEMENTS.	
TOWN CLERK,	
meaning of word in this Act, s. 101	67
meaning of word as applied to London, Westminster and Southwark, s. 56	39
to cause forms of precepts, notices and lists to be printed, s. 10	7
to deliver them to overseers, s. 10	7

	<i>PAGE</i>
TOWN CLERK—<i>continued.</i>	
to make out, sign, publish, and keep for inspection, a list of freemen, s. 14 (see FREEMEN)	9
to receive from overseers copies of lists of voters, claimants, and persons objected to, (not as freemen), s. 19	12
what shall be publication by, s. 23	15
to publish notices of times and places of holding revision courts, s. 33	21
to attend court of revising barrister, s. 35	22
to deliver lists of voters, and notices of claim and objection (freemen) to revising barrister, s. 35	22
to answer upon oath, s. 35	23
may be named respondent on appeal, s. 43	29
may if necessary, be named respondent in conso- olidated appeal, s. 44	31
need not make declaration required of other re- spondents in consolidated appeal, s. 44	31
to cause copy of revised list of voters to be printed in a book, and to transmit same to returning officer, s. 48 (see BOOK)	34
fine in respect of offence relating to register for city or borough, to be paid to, s. 52	37
to keep account of moneys received by him under the authority of this Act, s. 53	37
to pay same to overseers in certain shares and proportions, s. 53	38
expenses of, to be defrayed out of poor rate, s. 55	38
rate of contribution to, by different parishes, s. 55	39
expenses of, to be audited by town council, s. 55	39
if no town council, by quarter sessions for county, s. 55	39
certificate of, and of proportion of contribution of parishes, to be given by auditors, s. 55	39
liability of, for wilful contravention of Act, s. 97	62
TOWN COUNCIL,	
to audit expenses of clerk of the peace, and grant certificate, s. 55	39
TREASURER OF COUNTY,	
to reimburse clerk of the peace his expenses, s. 54	38

	PAGE
TRUSTEE,	
not to vote, s. 74 - - - - -	47
VOTE,	
notice to claim, s. 4 - - - - -	3
not lost by inaccurate description in rate, s. 75 - -	49
right of, for cities and boroughs, when lost by non-registration, s. 78 - - - - -	51
of person charged with personation of voter, s. 86. - -	56
tender of, after vote received for same qualifica- tion, s. 91 - - - - -	59
when it may be questioned by election commit- tee, s. 98 - - - - -	63
VOTES FRAUDULENT.—<i>See</i> FRAUDULENT VOTERS.	
VOTER,	
for county, may claim to vote in district in which he resides, s. 36 - - - - -	23
for county, if not resident in county, may claim to vote in any district, s. 36 (see CLAIM- ANTS. NOTICE OF CLAIM. LIST. OVERSEERS. REGISTER. FRAUDULENT VOTERS. PERSONA- TION OF VOTERS) - - - - -	23
WARRANT,	
to apprehend person charged with personation of voter, s. 88 - - - - -	57
for production of poll books before election com- mittee, s. 96 - - - - -	62
WARRANT OF DISTRESS,	
to enforce payment of costs or fine awarded un- der this act, s. 71 - - - - -	45
not to be removed by <i>certiorari</i> , s. 71 - - - -	46
for nonpayment of money ordered to be paid as compensation for unfounded charge of per- sonation, s. 89 - - - - -	58

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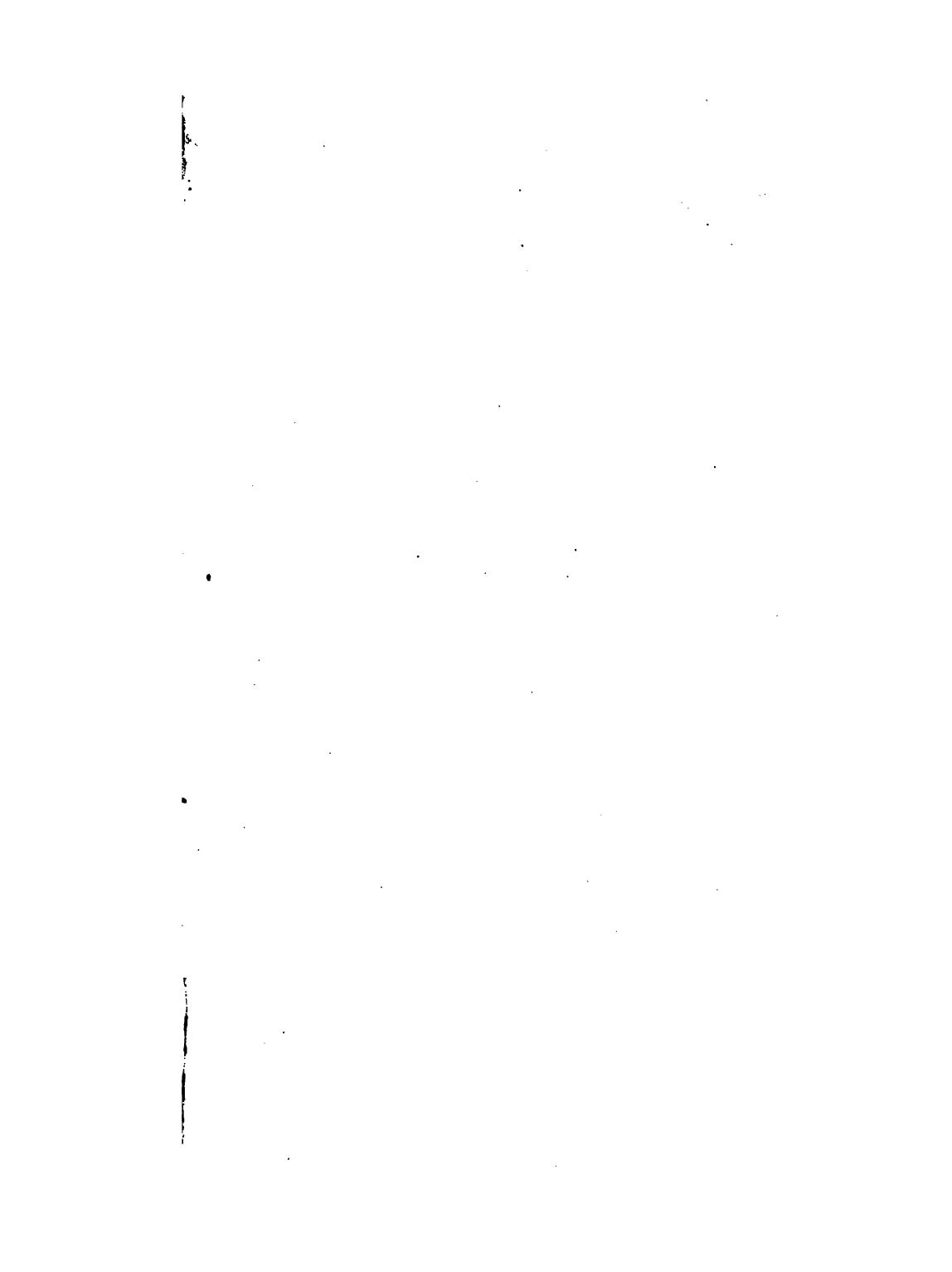
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